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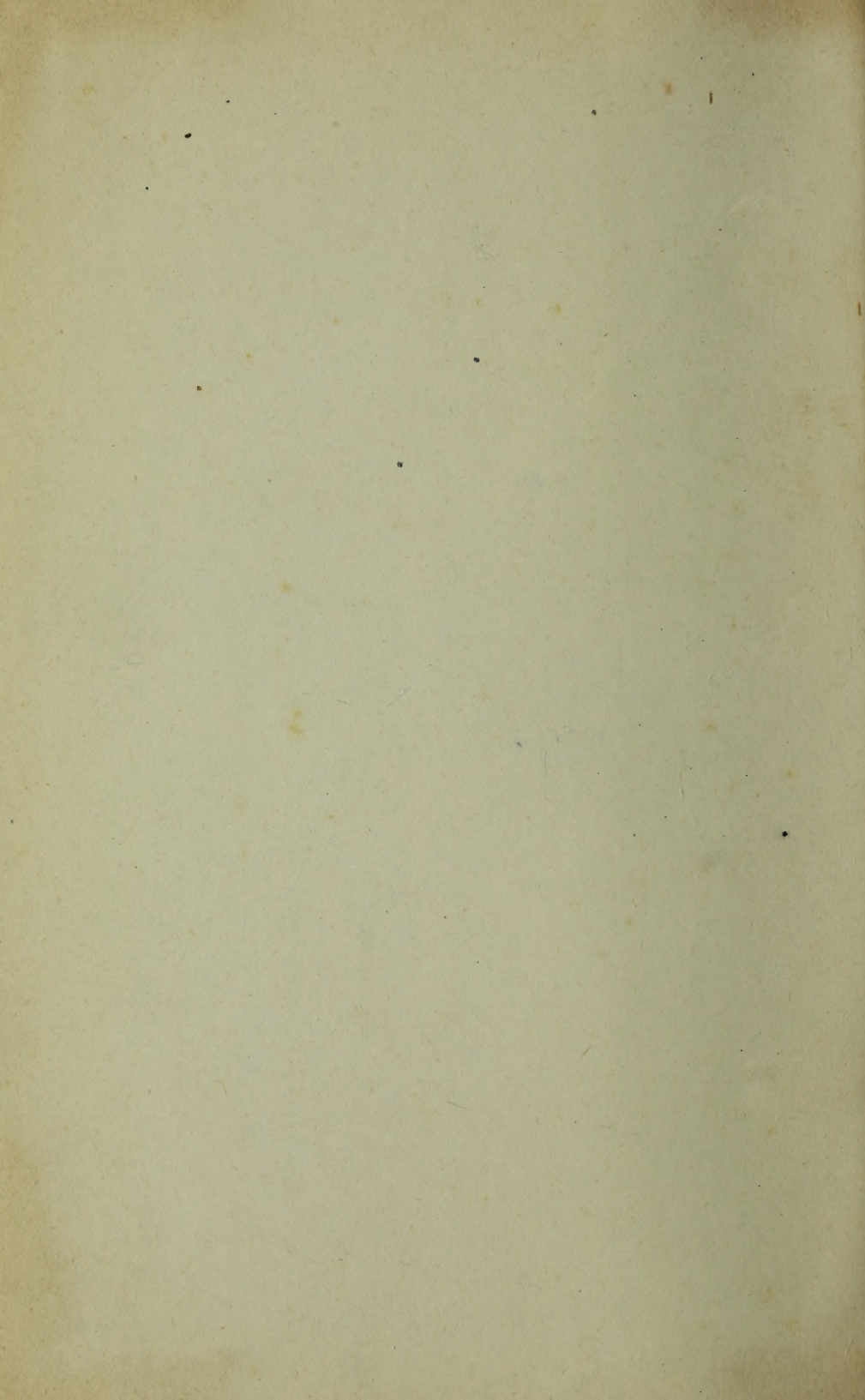
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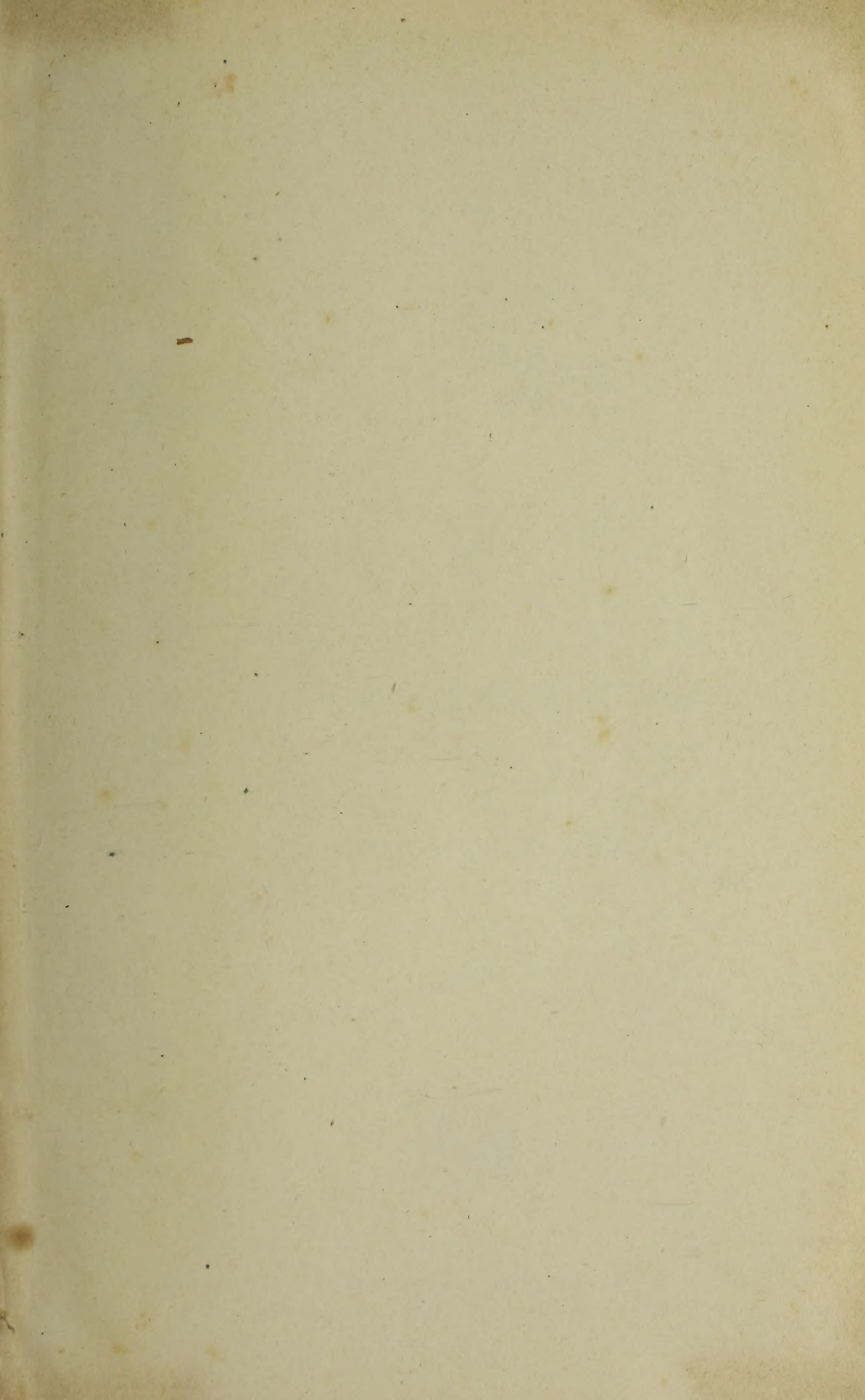
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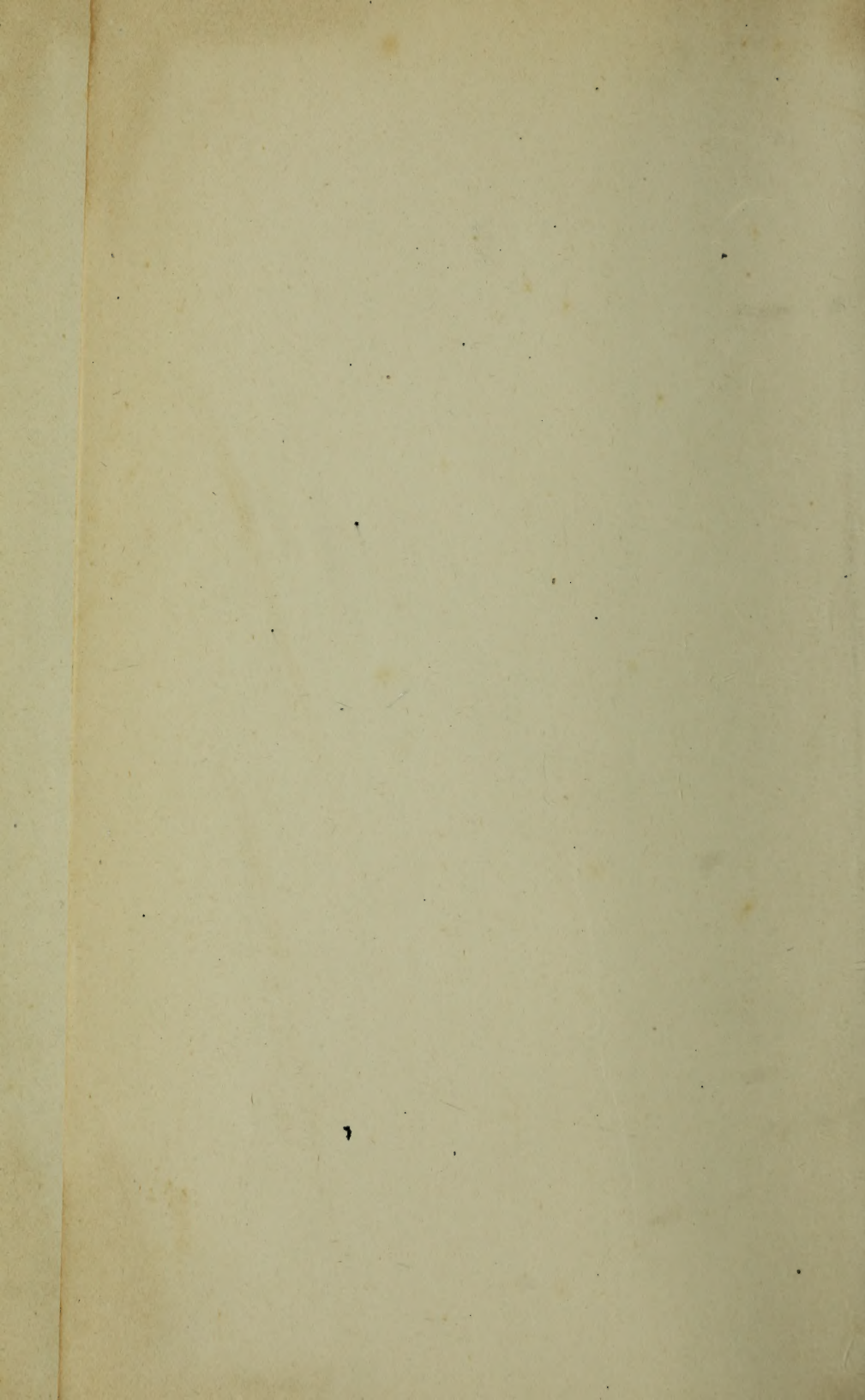
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JOURNAL

OF THE

SENATE OF MISSOURI

OF THE

THIRTY-FOURTH GENERAL ASSEMBLY

(REGULAR SESSION.)

1887.



JEFFERSON CITY, MO.:

TRIBUNE PRINTING COMPANY, STATE PRINTERS AND BINDERS.

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JOURNAL OF THE SENATE.

FIRST DAY—WEDNESDAY, January 5, 1887.

The Senate was called to order at 12 o'clock M. by Hon. A. P. Morehouse, Lieutenant-Governor and President of the Senate.

Prayer by Rev. John Gierlow.

The president appointed H. L. Gray Secretary, J. H. Davidson Minute Clerk, and W. C. Arline Journal Clerk *pro tem*.

The President laid before the Senate the following communication from the Secretary of State, which was read :

CITY OF JEFFERSON, January 5, 1887.

To the Honorable, the President of the Senate of Missouri:

SIR: As required by law, I have the honor to lay before your honorable body herewith a list of the names of members of the Senate of the State of Missouri, elected at the general election held on the second day of November, eighteen hundred and eighty-six, as the same appear from the returns of said election in my office; and also a list of the members of said Senate holding over.

I have the honor to be,

Very respectfully,

Your obedient servant,

MICH'L K. McGRATH,

Secretary of State.

SENATORS ELECTED TO THE THIRTY-FOURTH GENERAL ASSEMBLY
OF THE STATE OF MISSOURI AT THE NOVEMBER ELECTION, 1886.

Michael G. Moran	Second District.
John Taggart	Fourth District.
Andrew Mackey	Sixth District.

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William H. Sears (to fill vacancy).....	Seventh District.
James W. Sebree.....	Eighth District.
Houston W. Johnson.....	Tenth District.
William G. Downing.....	Twelfth District.
James E. Hazell...	Fourteenth District.
James G. Sparks.....	Sixteenth District.
Joseph C. Seabourn.....	Eighteenth District.
William P. Sheldon.....	Twentieth District.
Francis M. Mansfield.....	Twenty-second District.
J. Perry Johnson.....	Twenty-fourth District.
Madison R. Smith.....	Twenty-sixth District.
Stephen H. Claycomb.....	Twenty-eighth District.
George A. Castleman.....	Thirtieth District.
Fountain H. Ketchum.....	Thirty-second District.
Daniel Kerwin.....	Thirty-fourth District.

SENATORS HOLDING OVER, ELECTED IN 1884.

Lyman Parcher.....	First District.
Horatio F. Simrall.....	Third District.
Wesley A. Jacobs.....	Fifth District.
James M. Proctor.....	Ninth District.
David A. Ball.....	Eleventh District.
James P. Wood.....	Thirteenth District.
James R. Saltonstall.....	Fifteenth District.
John P. Harmon.....	Seventeenth District.
James J. Gideon.....	Nineteenth District.
R. Steele Ryors.....	Twenty-first District.
William Hunter.....	Twenty-third District.
Benjamin F. Webster.....	Twenty-fifth District.
Arthur M. Allen.....	Twenty-seventh District.
James C. McGinnis.....	Twenty-ninth District.
George W. Davisson.....	Thirty-first District.
John M. Kelly.....	Thirty-third District.

The roll of hold over Senators was then called, when the following Senators answered to their names:

PRESENT—Senators Allen, Ball, Davisson, Downing, Gideon, Harmon, Jacobs, Kelly, McGinnis, Parcher, Proctor, Ryors, Saltonstall, Simrall, Taggart, Webster and Wood—17.

Senator Ball offered the following resolution, which was read:

Resolved, That the Secretary call the Senatorial districts in numerical order, and as they are called the Senators elect shall advance to the bar of the Senate and present their certificates of election, which certificates shall be read aloud by the Secretary, and if found to conform to the requirements of the law, and no contest or objection be made, the persons holding them, respectively, shall be sworn in as

members of the Senate; and if said certificates be not in the form required by law, or if contests be made, or if any Senator object, the certificate, contest or objection shall be referred to the Committee on Privileges and Elections. The Committee on Privileges and Elections of the Senate of the Thirty-third General Assembly are hereby continued and made the Committee on Privileges and elections for this purpose, and shall so remain and continue until a new committee is appointed.

Senator Gideon offered the following substitute, which which was read and adopted :

Resolved, That the Secretary call the Senatorial districts in numerical order, and as they are called the Senators-elect shall advance to the bar of the Senate and present their certificates of election, and the persons holding them, respectively, shall be sworn in as members of the Senate.

The roll of the Senators-elect was then called, and the following Senators came forward and were sworn in as Senators by Judge Sherwood of the Supreme Court :

Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Mansfield, Moran, Sears, Sebree, Sheldon, Smith, Sparks and Taggart—16.

Senator Downing having been appointed by the Governor to visit the public institutions of the State, and having taken the oath of office before a Judge of the Supreme Court of the State, and filed the same with his certificate in the office of the Secretary of State, took his seat as a Senator.

Senator Harmon offered the following resolution, which was read and adopted :

Resolved, 1. That a committee of five, in addition to the Lieutenant Governor, be appointed by the President to prepare and submit rules for the government of the Senate during the present session, and report as early as practicable.

Resolved, 2. That the report of said committee shall be in order at any time, and take precedence of all other motions or orders.

Resolved, 3. That the rules of the Senate for the Thirty-third General Assembly, so far as applicable, shall be the rules of this body until the report of said committee on rules shall have been acted upon.

On motion of Senator Gideon, the Senate adjourned until to-morrow morning at 10 o'clock.

SECOND DAY—THURSDAY, January 6, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Rev. Mr. Vandiventer.

Journal of yesterday read and approved.

Under the resolution adopted yesterday, the President of the Senate appointed the following committee on rules: Senators Harmon, Downing, Simrall, Claycomb and McGinnis.

J. C. Seabourn, Senator-elect from the Eighteenth Senatorial district, was sworn in by the President of the Senate.

Senator Downing offered the following resolution, which was read and adopted:

Resolved, That the Senate now proceed to the election of permanent officers, as follows:

First—President *pro tem*.

Second—Secretary.

Third—Assistant Secretary.

Fourth—Official Reporter.

Fifth—Sergeant-at-Arms.

Sixth—Chaplain.

Seventh—Doorkeeper.

Eighth—Folder and Messenger.

Ninth—Three Pages.

Senator Wood nominated Senator Ball for President *pro tem*. of the Senate.

Senator Ball was declared elected by the following vote:

FOR SENATOR BALL—Senators Allen, Castleman, Claycomb, Downing, Hazell, Hunter, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Saltonstall, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Wood—22.

FOR SENATOR MCGINNIS—Senators Davisson, Gideon, Jacobs, Ryors, Seabourn and Sheldon—6.

ABSENT—Senators Harmon and Moran.

ABSENT WITH LEAVE—Senator Ball.

Senator Ball granted leave of absence until Monday.

Senator Downing nominated A. S. Coker for the office of Secretary of the Senate.

Mr. Coker was elected by the following vote:

Senator Gideon nominated J. G. White for the office of Secretary of the Senate.

FOR MR. COKER—Senators Allen, Castleman, Claycomb, Downing, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Moran, Proctor, Saltonstall, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Wood—23.

FOR MR. WHITE—Senators Davisson, Gideon, Jacobs, McGinnis, Ryors, Seabourn, Sheldon and Webster—8.

ABSENT—Senators Harmon and Parcher—2.

ABSENT WITH LEAVE—Senator Ball.

Senator Sears nominated H. L. Gray for the office of Assistant Secretary of the Senate. There being no other nomination, Mr. Gray was elected by the following vote:

FOR MR. GRAY—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—32.

ABSENT—Senators Ball and Harmon—2.

Senator Hazell nominated A. C. Lemon for the office of Official Reporter. There being no other nominations, Mr. Lemon was elected by the following vote:

FOR MR. LEMON—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—29.

ABSENT—Senators Ball, Harman, Parcher, Ryors and Webster—5.

Senator Hazell nominated A. W. Ewing for the office of Sergeant-at-Arms. There being no further nominations, Mr. Ewing was elected by the following vote:

FOR MR. EWING—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—30.

ABSENT—Senators Ball, Harmon, Parcher and Webster—4.

Senator Hazell nominated for Chaplain Rev. C. I. Vandiventer.

There being no other nomination, Mr. Vandiventer was elected by the following vote :

FOR MR. VANDIVENTER—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Moran, Proctor, Saltonstall, Seabourn, Sears, Seebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—29.

FOR MR. PALMER—Senator McGinnis.

ABSENT—Senators Ball, Parcher, Ryors and Webster—4.

Senator Simrall nominated for Doorkeeper Jacob Smith. There being no other nomination, Jacob Smith was elected by the following vote :

FOR MR. SMITH—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Saltonstall, Seabourn, Sears, Seebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—30.

ABSENT—Senators Ball, Parcher, Ryors and Webster—4.

Senator Hunter nominated Henry Watson for the position of Folder and Messenger. There being no other nominations, Henry Watson was elected by the following vote :

FOR MR. WATSON—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Seebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—31.

ABSENT—Senators Ball, Parcher and Webster—3.

Senator Downing nominated Charles Winslow for the position of Page.

Senator Hazell nominated Lee Barnidge for Page.

Senator Sparks nominated Walter Ferguson for Page.

Charles Winslow, Lee Barnidge and Walter Ferguson, were elected Pages by the following vote :

Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Seebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—30.

ABSENT—Senators Ball, Harmon, Parcher and Webster—4.

On motion of Senator Gideon, the following officers of the Senate came forward and were duly sworn in : A. S. Coker, Secretary ; H.

L. Gray, Assistant Secretary; A. W. Ewing, Sergeant-at-Arms; Jacob Smith, Doorkeeper.

Senator Jacobs offered the following resolution, which was read and adopted :

Resolved, That the President appoint a committee of three, to act with a like committee from the House of Representatives, to inform the Governor that the Senate and House are organized and ready to receive any communication he may have to submit.

Senators Jacobs, Wood and Kerwin were appointed as a committee for the purpose of the above resolution.

Senator Sheldon offered the following resolution, which was read and adopted :

Resolved, That the Secretary of the Senate inform the House of Representatives that the Senate is now organized by the election of D. A. Ball, President *pro tem.*; A. S. Coker, Secretary; H. L. Gray, Assistant Secretary; Ashley W. Ewing, Sergeant-at-Arms; Jacob Smith, Doorkeeper; Rev. C. I. Vandiventer, Chaplain; A. C. Lemmon, Official Reporter; Henry Watson, Folder and Messenger; Masters Arthur Winslow, Lee Barnidge and Marshall Ferguson, Pages, and is now ready for business.

Senator Harmon submitted the following partial report from the special committee appointed to prepare and submit rules for the government of the Senate :

MR. PRESIDENT: Your special committee to prepare and submit rules for the government of the Senate, ask leave to make the following partial report :

STANDING COMMITTEES.

RULE 77. The following standing committees, to consist of five members each (except the Committees on Judiciary, Criminal Jurisprudence and Railroads and Internal Improvements, which shall consist of nine members each, and the Committees on Ways and Means, Appropriations and Corporations, other than Railroad and Insurance Companies, which shall consist of seven members each), shall be appointed by the President, with leave to report by bill or otherwise :

1. A Committee on Judiciary.
2. A Committee on Criminal Jurisprudence.
3. A Committee on Railroads and Internal Improvements.
4. A Committee on Ways and Means.
5. A Committee on Appropriations.
6. A Committee on State University, Public and Normal School Education.

7. A Committee on Corporations other than Railroad and Insurance Companies.
8. A Committee on Constitutional Amendments.
9. A Committee on Enrolled Bills.
10. A Committee on Engrossment and Printing.
11. A Committee on Agriculture, Roads and Highways.
12. A Committee on Accounts.
13. A Committee on Penitentiary and Public Buildings at the Seat of Government.
14. A Committee on Insurance.
15. A Committee on Labor, Mines and Manufactories.
16. A Committee on Eleemosynary Institutions.
17. A Committee on Privileges and Elections.
18. A Committee on Federal Relations.
19. A Committee on Township Organization, Representative Apportionment and County Boundaries.
20. A Committee on State and Swamp Lands.
21. A Committee on Justices of the Peace.
22. A Committee on Militia.

Senator Simrall offered the following resolution, which was read and adopted:

Resolved, That a committee of five Senators be appointed to examine and report to the Senate the number of clerks and employes necessary for the use of the Senate, and that said committee report as soon as possible.

The following were appointed as such committee: Senators Simrall, Castleman, Allen, McGinnis and Jacobs.

Senator Gideon presented a petition from citizens of Greene county asking for the submission of an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors.

Senator McGinnis presented a petition from citizens of St. Louis asking the submission of a prohibitory amendment to the Constitution.

Senator Mackey presented a petition from citizens of Linn county asking the submission of a prohibitory amendment to the Constitution.

Senator Sebree presented a petition from citizens of Carroll county asking the submission of a prohibitory amendment to the Constitution.

Senator Simrall presented a petition from citizens of Platte county asking the submission of a prohibitory amendment to the Constitution.

Senator Sheldon presented a petition from citizens of Cedar county asking the submission of a prohibitory amendment to the Constitution.

Senator Taggart presented a petition from citizens of Harrison

county asking the submission of a prohibitory amendment to the Constitution.

Senator Jacobs presented a petition from citizens of Livingston county asking the submission of a prohibitory amendment to the Constitution.

Senator Harmon presented a petition from citizens of Knox county asking the submission of a prohibitory amendment to the Constitution.

Senator Wood presented a petition from citizens of Marion county asking the submission of a prohibitory amendment to the Constitution; also from citizens of Audrain county on same subject.

Senator Johnson of Montgomery presented a petition from citizens of St. Charles county asking the submission of a prohibitory amendment to the Constitution.

Senator Kerwin presented a petition from citizens of St. Louis asking the submission of a Constitutional amendment prohibiting the manufacture and sale of intoxicating liquors, except for medicinal and scientific purposes.

Senator Davisson presented a petition from citizens of St. Louis asking submission of a prohibitory amendment to the Constitution.

Senator Allen presented a petition from citizens of Jackson county asking the submission of a prohibitory amendment to the Constitution.

Senator Saltonstall presented a petition from citizens of Pettis county asking the submission of a prohibitory amendment to the Constitution.

Senator Castleman presented a petition from citizens of St. Louis asking the submission of a prohibitory amendment to the Constitution.

Senator Proctor presented a petition from citizens of Boone county asking the submission of prohibitory amendment to the Constitution.

Senator Sears presented a petition from citizens of Macon county asking the submission of a prohibitory amendment to the Constitution.

Senator Johnson of Madison presented a petition from citizens of Butler county asking the submission of a prohibitory amendment to the Constitution.

Senator Ryors presented a petition from citizens of Franklin county asking the submission of a prohibitory amendment to the Constitution.

Senator Johnson of Madison presented a petition from citizens of St. Francois county asking the submission of a prohibitory amendment to the Constitution.

Senator Mansfield presented a petition from citizens of Phelps

county asking the submission of a prohibitory amendment to the Constitution.

Senator Sparks presented a petition from citizens of Bates county asking the submission of a prohibitory amendment to the Constitution.

Senator Seabourn submitted a petition from citizens of Newton county asking the submission of an amendment to the Constitution.

Senator Harmon presented a petition from citizens of Johnson county asking the submission of a prohibitory amendment to the Constitution.

Senator Moran presented a petition from citizens of Nodaway county asking the submission of a prohibitory amendment to the Constitution.

Senator Claycomb presented a petition from citizens of Barton county asking the submission of a prohibitory amendment to the Constitution.

Senator Hunter presented a petition from citizens of Mississippi county asking the submission of a prohibitory amendment to the Constitution.

Senator Kelly presented a petition from citizens of St. Louis asking the submission of a prohibitory amendment to the Constitution.

Senator Allen introduced Senate bill No. 1, entitled "An act providing that any city having a population of more than one hundred thousand inhabitants may frame a charter for its own government, and regulating the same," which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 2, entitled "An act to provide for the selection and acquisition of land whereon to erect county buildings, and the duration of the office of county superintendent," which was read first time and 100 copies ordered printed.

On motion of Senator Simrall, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

On motion of Senator Downing, the Senate adjourned until 10 o'clock to-morrow morning.

THIRD DAY—FRIDAY, January 7, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Sheldon introduced joint and concurrent resolution No. 1, submitting to the voters of the State an amendment to the Constitution thereof prohibiting the manufacture and sale as a beverage within the State of intoxicating liquors, which was read first time and 100 copies ordered printed.

Leave of absence granted Senator Mansfield until Monday next.

Senator Sheldon introduced Senate bill No. 3, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as penitentiary No. 2, and to appropriate money therefor,'" which was read first time and 100 copies ordered printed.

Senator McGinnis introduced Senate bill No. 4, entitled "An act to repeal an act to provide for the convenient delivery of railroad freight in the city of St. Louis," which was read first time and 100 copies ordered printed.

Senator Johnson of Madison introduced Senate bill No. 5, entitled "An act to amend section 1167, chapter 23 of Revised Statutes of Missouri, changing times and terms of holding courts in twenty-third judicial circuit of the State of Missouri," which was read first time and 100 copies ordered printed.

Senator Sears introduced Senate bill No. 6, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, and amended by a new section approved March 31, 1885," which was read first time and 100 copies ordered printed.

Senator Parcher introduced Senate bill No. 7, entitled "An act to enable certain persons to associate and insure the members of the association against fire, wind and lightning, and repealing all acts inconsistent therewith," which was read first time and 100 copies ordered printed.

Senator Parcher introduced Senate bill No. 8, entitled "An act to

enforce section 24, article No. 12 of the State Constitution," which was read first time and 100 copies ordered printed.

Senator Webster introduced Senate bill No. 9, entitled "An act to repeal section 4385 of chapter 8, of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,' and to enact in lieu thereof three new sections to be known as sections 4385, 4385 α and 4385 β ," which was read first time 100 copies ordered printed.

Senator Webster introduced Senate No. 10, entitled "An act to exempt certain corporations from the operation of general insurance laws of Missouri," which was read first time and 100 copies ordered printed.

Senator Davisson introduced Senate bill No. 11, entitled "An act entitled an act to prohibit the employment of children in mills, mines, factory or work shops in this State under the age of fourteen years," which was read first time and 100 copies ordered printed.

Senator Sears introduced Senate bill No. 12, entitled "An act to repeal an act entitled 'An act to repeal sections 3629 and 3630 of article 7, chapter 59 of the Revised Statutes of Missouri for 1879 entitled 'Of issues, trials and their incidents, of practice in civil cases,' approved March 31, 1885 and enacting in lieu thereof two new sections," which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 13, entitled "An act to amend section 1205 of the Revised Statutes of Missouri of 1879," which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 14, entitled "An act authorizing county courts in counties now containing or that may hereafter contain one or more graded roads to macadamize the same, and providing the manner of doing such work," which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 15, entitled "An act to amend section 668, 674, 693 and 700 of the Revised Statutes of the State of Missouri of 1879," which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 16, entitled "An act to amend article 2 of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto to original section 7154 α ," which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 17, entitled "An act to amend sections 6569 and 6570 of chapter 139 of the Revised Statutes of

Missouri of 1879, entitled 'Of plats,' " which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 18, entitled "An act to amend section 5437 of chapter 98 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of dramshops,' " which was read first time and 100 copies ordered printed.

Senator Davisson introduced Senate bill No. 19, entitled "An act entitled an act to abolish and prohibit the employment, under contract, of convicts and inmates of prisons, jails, penitentiaries, and all public and reformatory institutions in this State," which was read first time and 100 copies ordered printed.

The following communication was received from the House of Representatives, through Mr. Hornbuckle, Chief Clerk, which was read :

MR. PRESIDENT: I am instructed to inform the Senate that the following resolution has been introduced into and adopted by the House :

Resolved, That the Senate be informed that the House of Representatives is now organized by the election of J. W. Alexander as Speaker; J. J. Russell as Speaker *pro tem.*; Turner C. Hornbuckle, Chief Clerk; William Townsend, Assistant Chief Clerk; J. A. Turner, Enrolling Clerk; W. H. Feagans, Engrossing Clerk; Michael Allgair, Sergeant-at-Arms; William M. Dunn, Doorkeeper; R. P. Thompson, Official Reporter, and Rev. J. M. Boone, Chaplain.

Senator Wood offered the following resolution, which was read and adopted :

WHEREAS, On the 13th day of May, 1886, Hon. W. H. Vancleve, a member of this body, died at his home in Macon, Missouri; therefore, be it

Resolved, That a committee of five Senators be appointed by the President to draft and report suitable resolutions touching the life and character of said deceased.

The President appointed on said committee: Senators Wood, Sears, Saltonstall, McGinnis and Jacobs.

The committee appointed to wait upon the Governor, submitted the following report, which was read :

MR. PRESIDENT: Your committee appointed to wait upon his Excellency, the Governor, beg leave to report that they have discharged that duty, and he informs them that he is ready to present a communication to the Senate at once.

The following communication was received from the House of Representatives, which was read :

MR. PRESIDENT: I am authorized to inform the Senate that the following resolution has been introduced and adopted by the House :

Resolved, That the Chief Clerk notify the Senate that the House is fully organized and ready to proceed under section 5517 of Revised Statutes of Missouri, 1879, to open and publish the late election of Railroad Commissioner and Superintendent of Public Schools, and the Senate is respectfully invited to meet in the hall of the House to-morrow at ten o'clock, and with the House in joint session, to publish said election.

The following message was received from His Excellency, John S. Marmaduke, Governor of Missouri, through Mr. Yantis, Private Secretary :

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, Jan. 7, 1887. }

Gentlemen of the General Assembly :

Missouri stands to-day among the foremost in the greatest confederation of States upon the earth. Everywhere over her broad domain peace and plenty are found. Her laws are just, and are vigorously enforced. Her people are intelligent and patriotic and heartily sustain those in lawful authority in the discharge of every duty. Her natural resources are unbounded and comprehend almost every variety found in this latitude, of those things which contribute to the comfort of man. Her inhabitants, fully two and one-half millions of people, are enlightened and industrious, and are wisely and energetically extending their facilities for converting these natural resources—raw materials—into the best condition for use. The figures (two thousand millions of dollars) which express the natural and acquired wealth of her people at the present time, stands for an enormous sum. Her revenues collected for public use have been economically expended. Her courts, and all the other parts of the machinery of government, are performing the work devolving upon them in the most satisfactory manner.

As a result of these facts—for they all enter into the result—and probably the best evidence that they are true and are known and appreciated, her credit in the great money centers is as good as the best ; and a strong and steady immigration of sturdy and valuable citizens is being brought into our midst.

As contemplated in the State Constitution, I herewith lay before your body my estimate of the amount of money it will be necessary to raise by taxation within the next two years ; and some observations touching the operations of those intrusted with the management of the people's business, and of the public institutions established and maintained by taxes levied upon the whole people.

TAXATION FOR ALL PURPOSES.

The estimates herein are made upon the same basis as these contained in more detail in the report of the Auditor. They are :

Interest on debt.....	\$1,485,920
Sinking fund.....	500,000
Civil list.....	641,550
Eleemosynary and educational institutions.....	530,200
Assessing and collecting the revenue.....	300,000
Costs in criminal cases.....	500,000
Maintenance of public schools.....	950,000
Pay and contingent expenses of the General Assembly.....	145,000
Sundry small appropriations.....	210,080
Total.....	\$5,262,750

The revenues under the present levy of 40 cents on the \$100 will largely exceed that sum ; but as the surplus can all be profitably used in retiring 6 per cent. bonds at par, I do not deem it wise to now alter that levy.

FUND COMMISSIONERS.

The operations of the Board of Fund Commissioners for the past two years are given in the following memorandum :

On the first day of January, 1885, the outstanding bonded debt of the State was \$11,803,000, bearing 6 per cent. interest, of which only \$3,000 matured in 1885. This sum was paid at maturity.

After advertising for offers of bonds to absorb the sinking fund, the board, on the 4th of May, 1885, purchased 441 bonds at a cost of \$549,781.30, including interest ; and on the 2d day of October, 1885, they purchased 53 bonds for \$65,235.03, including interest.

The bonds maturing in 1886, amounted to \$2,129,000, which was largely in excess of the resources of the sinking fund. To provide for this excess, the Thirty-third General Assembly passed a Funding Bill authorizing the Fund Commissioners to issue 5-20 funding bonds from time to time as the necessity arose.

On March 17, 1886, Pacific R. R. bonds matured amounting to \$1,081,000. To meet this demand the board sold and issued, under the funding act, 650 of the new 5-20 funding bonds, bearing $3\frac{1}{2}$ per cent in-

terest, and dated March 15, 1886. On this sale they realized a premium of \$12,538.50, making the proceeds \$662,538.50. The balance of the \$1,081,000 being paid out of the sinking fund.

On the 13th of June, the Fund Commissioners paid \$75,000 North Missouri Railroad bonds maturing on that day, and on the 22d of August \$120,000 North Mo. R. R. bonds maturing on that day, both out of the sinking fund.

On the 5th of September \$391,000 North Mo. R. R. bonds matured, and on the 10th of November \$462,000 H. & St. Joe R. R. bonds matured. To meet these demands the board sold and issued 300 of the 5-20 bonds bearing $3\frac{1}{2}$ per cent. interest dated September 1, 1886, for \$308,703.69, and 400 similar bonds dated November 1, 1886, for \$410,520. The balance of the demand was paid out of the sinking fund. The total amount of $3\frac{1}{2}$ per cent. funding bonds sold to date is 1,350, on which premiums amounting to \$31,762.19 have been realized. Of the \$11,803,000 of 6 per cent. bonds outstanding January 1, 1885, \$1,276,000 have been paid out of the sinking fund; \$1,350,000 have been funded at $3\frac{1}{2}$ per cent., and \$9,177,000 still bear 6 per cent. Provision has been made for funding \$928,000 H. & St. Joe R. R. bonds falling due February 28, 1887, and \$649,000 Pacific R. R. bonds maturing March 10, 1887, by the issue of 1,577 bonds bearing $3\frac{1}{2}$ per cent. dated March 1, 1887.

The interest on the entire State debt has been promptly paid, including the January, 1887, interest.

The school fund indebtedness consists in one certificate of \$2,909,000 bearing 6 per cent. interest, payable annually, January 1st, and three certificates, aggregating \$225,000 bearing 5 per cent. interest, payable semi-annually January 1st and July 1st.

The seminary fund consists of one 6 per cent. certificate of \$122,000 interest payable annually, and one of \$100,000 bearing 5 per cent. interest payable semi-annually. The agricultural college fund consists of three certificates aggregating \$297,000 bearing 5 per cent. interest payable semi-annually.

It will be remembered that the act providing for refunding the public debt limits the bonds to 5-20 bonds. The last sale of bonds, on the 17th day of August, was remarkable for the high price realized; indeed it is without a parallel for State bonds redeemable so short a time as five years after issue.

It is my opinion, in which I am confirmed by many distinguished financiers, that had the bonds been irredeemable under ten years, they would have brought even a much higher price. I believe 10-20 bonds bearing 3 per cent. interest could be sold at par or above. As a large part of the State debt falls due in the next two years (\$6,652,000) I call

your particular attention to this matter ; and would suggest that you so amend the law as that the Fund Commissioners may issue 5-20 or 10-20 bonds as to them may seem best.

OFFICERS OF THE EXECUTIVE DEPARTMENT.

Of these five officers, three, the State Auditor, the State Treasurer and the Superintendent of Public Schools, make reports directly to your body.

A careful examination of these reports will satisfy you that not only are their offices conducted with ability and fidelity, but these reports also clearly show that the affairs of the State are in a most prosperous condition.

From personal observation, I am able to say that what is thus shown to be true of these three officers is equally true of the two, Secretary of State and Attorney-General, who do not make such written reports to your body.

Of the executive offices established by legislative enactment, and having in charge matters of very large interest to the people, and whose incumbents make report either to you or to me, I call your attention to the Railroad Commissioners and Register of Lands, which are filled by election, and to the Adjutant-General, the Commissioner of Labor Statistics and Inspection, and the Superintendent of Insurance, which are filled by appointment.

From an examination of their reports and a personal acquaintance with the conduct of these offices, I am sure that the gentlemen in them are doing their duty under the law. But three of these officers, the Railroad Commissioners, the Adjutant-General, and the Commissioner of Labor Statistics and Inspection, are working under very imperfect and incomplete laws. A good law is of no account unless worthy and competent officers are chosen to execute it. Equally true is it, that under our form of government, the most capable and energetic officer can do little unless he is furnished with a good and efficient law to execute. We have long felt the want of legislation to enable the Railroad Commissioners to accomplish what was intended in the establishment of the Board. I trust you gentlemen will do much toward meeting this want. For a specific statement of the most important changes needed, I refer you to their 10th and 11th annual reports.

The present Adjutant-General has, I think, accomplished all that was practicable toward increasing the efficiency of our State military under the present law. You will find a short and clear statement of needed improvements in that law in his current report.

The current report of the Commissioner of Labor Statistics and Inspection shows that he has faithfully exercised the limited authority his office gives in endeavors to accomplish the purpose sought in establishing the office ; and also sets forth clearly the defects of the present law and suggests remedies. I regard the work proper to this office as of great and rapidly increasing importance to our people, and trust that you will give it close attention and adopt such measures as will make it most efficient.

UNIVERSITY AND AGRICULTURAL COLLEGE.

The University and Agricultural College being located at the same place, and conducted by the same faculty, it is convenient to discuss them together.

Not content to form my opinion at second hand, as you gentlemen are obliged to do, I recently visited Columbia and made a personal examination of these institutions. From what I saw and heard of both the teachers and pupils, I am sure that our people may well be proud of the head or highest department of our free school system. In our University and Agricultural College, as now wisely organized and associated, most excellent opportunity is given the young men and young women of our commonwealth to acquire the highest order of instruction and training in those studies and avocations which will fit them for useful citizens.

Still there are many things needed to complete the equipment of these two institutions. Things which the learning and scientific accomplishments of the faculty cannot supply, but which must be bought. The most noticeable of these needs are :

FOR THE UNIVERSITY :

Elevator and fire apparatus	\$4,300
Electric light plant, to pay balance due.....	2,761
Museum, to pay for specimens	4,400
Museum, to pay for cases	5,000
Campus, to pay for 5 acres added	3,100
Campus, fencing, levelling ground, etc.....	10,000
Heating scientific building with steam.....	1,995
Total.....	\$31,556

FOR THE AGRICULTURAL COLLEGE:

Sheds, tool house and hog barn.....	\$1,000
Barns.....	5,000
Dairy, Ice house, etc.....	2,000
Two cottage houses.....	1,200
To purchase sheep.....	500
To purchase swine.....	250
To purchase cattle.....	3,500
To purchase horses, carts, etc.....	2,000
Experiment work.....	2,000
Student labor.....	1,000
Horticultural building.....	1,300
Veterinarian's laboratory, etc.....	5,000
Total.....	\$24,750

Requiring, in addition to the amount needed for the ordinary current expenses, the sum of \$56,306.

I call your particular attention to these items, and hope you may deem it wise and best to make appropriations to cover them.

SCHOOL OF MINES AND METALLURGY.

I also visited this school, and was very much pleased with it throughout. The appropriation made by the Thirty-third General Assembly for improvements has been wisely and economically expended. The management and faculty are doing a most excellent work and should be liberally sustained.

NORMAL SCHOOLS.

These schools are considered a very important feature of our free school system, and so far as I have been able to learn, are performing the work contemplated in their organization in a very satisfactory manner. You will find a detailed account of them in their several reports and the report of the Superintendent of Public Schools.

LINCOLN INSTITUTE.

In 1870 an act was passed to establish a Normal department in Lincoln Institute, and to appropriate for its support \$5,000 per annum.

This appropriation was made by every succeeding Legislature until 1879, when an additional appropriation of \$5,000 was made for the purpose of liquidating the debt of the Institute. The then Governor of the State, the late John S. Phelps, seeing that this extra appropriation was unconstitutional, held the bill and suggested to the board of trustees that the Institute, together with all its property, be transferred to the State, in order that he might be able to sign the bill making the appropriation. The transfer was made, and Lincoln Institute became a State school.

Since then the Legislature has made liberal appropriations for its maintenance and improvement.

It is fortunate for the school that it has for its head a man who, while he makes use of every opportunity to advance the educational interests of his people, succeeds in doing it without stirring up bitterness of any kind between the races or political parties. The school is in a prosperous condition and gives every indication of so continuing, and I recommend that you make liberal provision for its support.

COMMON SCHOOLS.

"A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the General Assembly shall establish and maintain free public schools for the gratuitous instruction of all persons in this State between the ages of six and twenty years." (Constitution of Missouri, article 11, section 1.)

Such is the ground upon which stands the beautiful "Temple of Learning" that our people are building in their system of free education.

The common district schools constitute the foundation stones of the whole structure; and unless they are supplied in sufficient numbers and exactly adapted to the purpose for which they are intended, the building is marred and weakened, and the General Assembly fails of one of the most important duties imposed upon it by the organic law of our commonwealth.

I believe it may be truthfully said that ample provision has been made for furnishing them in sufficient number. But that proper caution has been observed that they shall be exactly adapted to the purpose intended, I am not so sure.

A stone may be too large as well as too small; it may be too much cumbered with merely decorative work as well as made too plain for its use. I am inclined to think that many of our workmen, teachers, are disposed to give too large a share of their time to swelling the apparent size of the stones they furnish this structure, by adding to the solid rock other material not called for in the specifications.

This, if found to be the case, should be stopped, and they be strictly limited to what was contemplated in the original design.

When we say "free public schools," we do not mean that they exist, like the air, without cost to any one.

The instruction in them is given without cost to the pupil; but the schools are maintained at the enormous cost of five millions of dollars a year.

This money is raised not by voluntary, but by forced contributions. It is a well settled principle of good government that no more money should be forced from a people in taxes, direct or indirect, than is necessary to accomplish the end sought. In this instance, it is the "diffusion of that knowledge and intelligence essential to the preservation of the rights and liberties of the people." It rests upon the General Assembly to determine what that includes, and then to fix both the limits of it with exactness.

I urge this for the safety of the schools, and hope you gentlemen will give careful attention to this duty, and will take such action as will insure the greatest degree of usefulness and stability to our common schools.

You will find some well considered and valuable suggestions on this subject in the current report of the State Superintendent of Schools.

LUNATIC ASYLUMS.

No other order of our public institutions appeals so directly and strongly to our sympathies and fostering care as those erected and maintained as asylums for the insane. Sympathetic humanity should dictate the extent of our provisions for their care; but in making such provision we should be guided by the same wise principles of economy and careful adaptation of means to the end, as should characterize all our other actions. A proper regard for these principles requires that when one of these asylums is begun it should be upon that plan of building or collection of buildings which furnishes the greatest amount of accommodation and service for the least amount of cost. Then that plan should be promptly pushed to completion, and when finished, a new building or set of buildings established. Of course, this new center of force, and consequent center of plan, may be chosen within a few yards of the other or hundreds of miles away, just as the circumstances surrounding the choice may determine. That we need additional asylum room cannot be questioned in face of the fact that there are now a large number of insane in the State outside of asylums.

Impressed with the notions just stated, I have visited each of our

three asylums, and have conferred fully and freely with those in charge of them.

Those investigations lead me to the following conclusions:

At Fulton there is now needed extraordinary appropriations to cover these items:

Six octogon projections for lighting and ventilating halls.....	\$18,000
Six detached closets and bath rooms.....	18,000
System of forced ventilation.....	3,400
Raising roof of halls.....	6,500
Extending short halls.....	44,000
Extension of main sewer.....	2,000
Total.....	<u>\$91,900</u>

With a proper and economical expenditure of that sum of money that institution will be in condition to care for 150 more patients with much better accommodations than it does those now in it; but they are now much too crowded. With these additions that institution would be completed, in my judgment.

With less than that, it is not as economical as it can be readily made. With more, there would have to be a duplication of everything, and that can be done as cheaply elsewhere—just where, it is not my province to say.

Similar remarks are equally applicable to the asylums at St. Joseph and Nevada.

The estimates are, at St. Joseph:

New boiler and coal house, five new furnaces and one laundry.....	\$11,000
Change in system of water closets.....	3,500
Alteration in kitchen and store rooms.....	4,000
Furnishing new building.....	6,000
New bakery and oven.....	1,500
Elargement of chapel.....	2,000
New furniture for kitchen.....	1,000
For forced ventilation.....	5,000
Fire alarm and telephone system.....	1,000
Total.....	<u>\$35,000</u>

At Nevada :

Three additional wings.....	\$111,000
Steam heating and furnishing new wings.....	18,000
Laundry, bake-house and barn.....	12,500
Ice-house.....	1,800
Fencing farm, repairing houses, etc.....	2,500
Sidewalks, curbing, guttering and wells.....	7,500
Extending main sewer to creek.....	2,500
Horses, cattle and farming utensils.....	5,000
One hundred and twenty acres additional land.....	7,000
Total.....	\$167,800

The gentlemen in charge of this institution have made a wise choice of location, and adopted a most admirable plan for the buildings. When completed as suggested above, it will comprise a solid section of excellent land, and will afford ample and unusually comfortable and healthful accommodations for about 900 patients, for an outlay of \$367,800.

The gentlemen in charge of asylums 1 and 2, including both the boards of managers and the officers of the institutions, are executing the arduous and responsible duties resting upon them in a most exemplary manner. I hope you gentlemen will heartily sustain them in their good work.

SCHOOL FOR THE DEAF AND DUMB.

This institution not only teaches that unfortunate portion of our youth who can neither hear nor talk many things which enable them to make their infirmity less burdensome to themselves, but it also teaches them useful occupations, which enable them, instead of becoming a burden and a charge on their friends or county, to become self-sustaining and independent citizens. The school is in good condition and doing excellent work. It needs appropriation for improvement to cover the following items :

Shop room.....	\$3,700
Barn.....	3,500
Iron corridors and stairway.....	3,300
Power printing press and material.....	1,200
Painting building.....	1,500
Steam pipes.....	800
Twenty acres additional ground.....	1,000
Total.....	\$15,000

I recommend the appropriation.

MISSOURI SCHOOL FOR THE BLIND.

This school is also engaged in a necessary and valuable work for another of the unfortunate classes of our population. It asks for several thousand dollars less than the appropriation made two years ago for ordinary current expenses. It will of course be sustained with the same liberality that has characterized our people heretofore.

VISITING AND EXAMINING COMMITTEES.

The work of these two committees will be laid before you gentlemen by the committees themselves.

They were appointed by me as early as the circumstances of their appointment would allow. I am sure you will find the information furnished by them is as thorough and as reliable as the time at their disposal would admit. I feel that in forming both committees I chose the right men, and the State has been well served by them.

PENITENTIARY.

This institution should receive your very careful attention, both by reason of the large expenditures of money necessary to its maintenance, and because the problems involved in the successful and economical management and care of so many prisoners present very considerable difficulty.

Impressed with the importance of this institution, I have given close and critical attention to the conduct of its affairs for the past two years, and am glad to say that in every particular it has been entirely satisfactory. The Thirty-third General Assembly appropriated \$210,000 out of the general revenues for its maintenance and improvement. The Warden, by my request, and for the information of your body, has

had printed the advance sheets of his report to the Board of Inspectors. A reference to that report will inform you in detail of the use made of such appropriation. I deem it proper to say that a careful personal examination of the prison has satisfied me that the Inspectors and Warden have expended the money at their command with economy and excellent judgment.

That the permanent improvements (buildings, walls and the like), the extensive, but necessary and valuable repairs, and the betterments of the institution generally are worth very much more to the State than they have cost, and that these improvements go far toward placing the institution in a condition to become self-sustaining. On this subject I call particular attention to the report alluded to, where you will find a detailed account of each item in the following table quoted therefrom. This table covers the whole of the two years, 1885 and 1886 :

Cost of food consumed.....		\$146,524.54
Average cost per day per capita.....	12.44 cents	
Cost of clothing in use and consumed.....		37,678.28
Average cost per day per capita.....	3.19 “	
Cost of fuel and lights.....		45,294.45
Average cost per day per capita.....	3.84 “	
Cost of ordinary repairs (estimated).....		20,000.00
Average cost per day per capita.....	1.69 “	
Salaries of officers and employes.....		129,522.93
Average cost per day per capita.....	10.98 “	
Discharged convicts, hospital and other expenses.....		27,670.23
Average cost per day per capita.....	2.34 “	
Total daily average cost of each inmate.....	34.45 “	
Earnings from contract labor.....		\$235,044.71
Earnings from sale of brick, stone, etc.....		17,143.34
Daily average earning of each inmate.....	21.36 “	
Daily average cost of each inmate after deducting earnings.....	13.09 “	

From this table it appears that, after excluding the permanent improvements and extraordinary repairs, the cost of the institution

exceeds the true or actual earnings by an average of 13 cents to the inmate.

The reason for this is that so large a number of the prisoners are not worked under contract, and the remedy seems to be simple, namely, put more of them under contract; and this I recommend. In order so to do, it will be necessary to build additional shop room.

This the Inspectors and Warden recommend, and I am sure such recommendation is well considered, and trust you gentlemen will make the appropriations necessary to execute their recommendations as made.

PARDONS.

I herewith submit a statement of the reprieves, commutations and pardons granted by me and the reasons therefor, in a separate paper.

COSTS IN CRIMINAL CASES.

The costs in criminal cases should receive your early attention. They are rapidly becoming enormous, and really threaten to become burdensome. Although the appropriation for the years 1885 and 1886 was \$400,000, it was exhausted in August, and there has since been incurred costs amounting to more than \$100,000, which amount must be provided for in the deficiency bill.

It is estimated they will amount to \$500,000 in the years 1887 and 1888. This should not be. Just how the growing dimensions of this draft upon the people's resources can best be lessened, I do not know that I am prepared to suggest. However, one thing is perfectly clear to me; it is a matter demanding the most diligent and thoughtful attention by those with whom rests the remedy.

HIGH LICENSE.

Prior to the enactment and enforcement of the law providing what is known as "high license" for dramshops, there were in this State 3,601 dramshops and other places where ardent spirits were sold to be used as a beverage, yielding a revenue of \$547,320.30. There were on the 4th of July last 2,880 such dramshops, yielding a revenue of \$1,842,208.26. These figures clearly indicate that the law referred to is accomplishing the good result that was anticipated, and, I think, prove the wisdom of it. There are imperfections in the present law which ought to be corrected.

I am of the opinion that the traffic in whisky is not sufficiently limited. That it ought to be restricted to those who have paid the "high license" of a dramshop keeper, and that druggists and merchants should not be allowed to sell it in any quantities whatever, except upon the prescription of a reputable physician for medicinal purposes.

What are known as "gallon houses," should be abolished. Every one who desires whisky, or other ardent spirits as a beverage, should be compelled to purchase it at those establishments which, under our high license law, are placed within competent police regulations. In my opinion, such provision would conduce more toward actual temperance than any other plan or means enforceable by civil law.

PUBLIC HEALTH.

In this day of rapid transit, the germs of disease are carried from one place to another at such great distances, and without any notice, so easily and frequently that the individual or community can no longer protect himself or themselves from the sudden and unexpected inroad of pestilence and epidemic by the ordinary precautions of life. Hence it is necessary that there be some one, whose public duty it shall be to take notice of these things and give timely warning of the danger, and instructions for the best means of averting it. Your predecessors have lodged this duty in a State Board of Health.

The Thirty-third General Assembly made no appropriation for the use of such board, and as a consequence the gentlemen who now constitute the board have served their State in this important labor, not only without recompense, but at their own cost. I deem it only their due to say that in spite of this ungenerous treatment by the State, they have given the business of their board their prompt and diligent attention, and should yet be paid for their past services.

It is not because they have done well and faithfully their duty, but it is because I think the people will need their services in the future, and should not ask them to be given without proper provision for meeting the necessary expenses, that I recommend a liberal appropriation for the future use of the board.

Their report contains some important suggestions as to needed legislation, to which I call your especial attention.

DISEASES OF DOMESTIC ANIMALS AND QUARANTINE.

The health of our domestic animals is only second in importance to that of our citizens. All of them are subject to a variety of contagious or infectious diseases, which for the reasons just stated, are liable to be carried from one place to another at great distances without any kind of notice.

The facts call for some rapid and efficient means of checking the spread of these diseases, either from outside our State into this State, or from this State into another, or from one place to another within this State.

In these matters, as in all others, I think this State should make ample provision for the care and protection of her own citizens and

their property, and not depend upon either the federal government or other state governments for our safety. The last General Assembly passed a hastily considered bill on this subject, which makes some provision for preventing the spread of disease in our own State, but does not touch the matter of preventing the entrance of disease from abroad.

I call your particular attention to this matter and trust you will perfect an adequate and effective law on this subject.

HANNIBAL AND ST. JOE RAILROAD LITIGATION.

The matters in litigation touching the Hannibal & St. Joe Railroad bonds are now pending in the Supreme Court of the United States. The case was recently argued before such court, but the decision has not yet reached me.

STATE MILITARY.

The military law now on our statutes is utterly inadequate to the purposes intended in its enactment—the organization and maintenance of a well ordered citizen soldiery. I have already, in a different connection, stated that “I think this State should make ample provision for the care and protection of her own citizens and their property, and not depend upon either the federal government or other state governments for our safety.” To this end such a military organization is essential. The two most glaring imperfections in the present law have been illustrated within the last two years. The imperfections alluded to are: First, absence of any provision for paying the soldiers when in the service of the State, or even to meet the expenses necessarily incurred in their movements when on duty; and second, absence of proper and efficient methods of enforcing discipline at all times when discipline is needed.

The inconvenience and injustice resulting from the first of these deficiencies in the law was made apparent when the military was called upon by me during the strike of March, 1885. The necessary and proper expense incurred in its movements, was paid by me out of an appropriation, subject to my order, for a similar purpose—but much too small for even that purpose—and the fair, reasonable and legitimate pay of the soldiers, amounting to \$2,360.28, is yet unpaid.

These soldiers are worthy young men who were taken away from their usual avocations, and fairly earned the sum mentioned, which is only the wages allowed by our own statutes, and it should be paid to them. Besides being right in itself and a just debt, I am told that most of the men can ill afford the loss to them involved in the State's failure to pay this obligation. It goes without saying that if it is right to pay such a debt after a long delay, it is much better to make pro-

vision against incurring such debts in the future, by preparing to pay cash.

The existence of the second defect alluded to was developed in a trial in one of the circuit courts for Jackson county, the court holding that a court-martial ordered for the trial of an officer was without lawful authority because the statute upon which it rested was unconstitutional.

I would take it to be a great misfortune to the State for our military organization to go to pieces; but this result is enevitable unless our laws on the subject are thoroughly overhauled and much improved.

I trust you gentlemen will give this matter the consideration its importance demands.

BOARD OF AGRICULTURE AND FISH COMMISSION.

These two boards have to do with our food supply. They both serve the State without emolument, and both are rendering excellent and important service. I do not understand that the object in their organization and their labors is to ascertain how and then instruct our farmers and other agriculturists how to merely make money by raising hogs or cattle or fish or corn or wheat or any of the infinite variety of the products of our land and waters, but that it is their business to first ascertain how and then instruct our people how to economically increase the supply of all kinds of food, in order that our large and rapidly increasing population may have plenty to eat. This is a matter every one is interested in, and as these boards are doing good work in that direction I hope you will grant them sufficient money to meet all proper expenses incurred in their useful and gratuitous labors.

RAILROADS.

That class of common carriers known as railroad companies has become so numerous and their services to the people so necessary, that we cannot dispense with them. Indeed, we cannot allow the operations of their trains to cease, either by the voluntary action of their managers or by the opposition offered by others, for even a few days, because it puts to such great inconvenience and loss the public, in whose interest and for whose benefit their peculiar organization and construction was authorized. Twice during the past two years have we experienced the inconvenience and loss arising from this source.

The first was in consequence of "the strike of March, 1885." During this strike the danger of loss of life and destruction of a great deal of valuable property appeared to me so imminent that I called upon the State military forces. Happily, the disturbances were quelled, and quiet and good order were restored without resort to actual force—without even taking the soldiers to the point of greatest disturbance.

The other was during "the strike of March, 1886." It, too, was settled, after several weeks of virtual cessation of business, with the attendant inconvenience and loss to all parties concerned, without resort force. I did not even call the State military to arms.

I did, however, issue a proclamation calling upon the railway company to resume traffic, and warning all persons against opposing any obstacle whatever in the way of such resumption. In that proclamation I stated, as clearly as the limits of such document permitted, my notions of the relation of the railways to the public and the consequent obligations resting upon them.

The last State democratic convention, as you gentlemen will remember, deemed the railroad corporations a sufficiently important factor in our State politics to make especial mention of them in their platform, and enunciated what I think are sound principles that ought to obtain in any legislation upon this subject.

The foregoing sketch plainly proves—if such proof be necessary—that not only should this subject of railway corporations receive your careful and earnest attention because of their extensive operations, but also, and more especially, because there is evidently something radically wrong, from which wrong the people are liable to suffer great injury.

It is not right that when a few employes—either officers or laborers, or both—get to quarrelling among themselves, they shall put a stop to a public service until they settle their petty strifes, in which the public have no concern, and which quarrels are in no important particular different from the altercations arising between any other citizens of the State. They should be made to settle these strifes among themselves without involving the business arrangements of the people. That they should resort to practices which actually endanger the peace of the State and the safety of the lives and property of her citizens is not to be tolerated at all. The duty of devising and the authority to provide means of preventing these pernicious and dangerous practices rest with you gentlemen. I pledge the chief executive to vigorously execute all laws to that end.

I call your particular attention to the following sections of article 12 of our State Constitution :

Section 7, prohibiting corporations from engaging in "other business than that expressly authorized in its charter;" also, section 8, fixing the conditions under which corporations may issue stock or bonds, and prohibiting all fictitious increase of stock; also, and very especially, section 14, which declares railways to be public highways, and the companies operating them common carriers; it also directs the General Assembly to pass laws to correct abuses and prevent unjust

discrimination and extortion, and to fix maximum rates of charges and "enforce all such laws by adequate penalties;" also, section 17, which prohibits the consolidation of parallel or competing lines under one management; also, section 22, which prohibits the president and other officers of any railroad company being interested, directly or indirectly, in furnishing material or supplies to such company; also, section 24, which prohibits railroad and other transportation companies from granting free passes or tickets "to members of the General Assembly, or members of the Board of Equalization, or any State or county or municipal officer."

I also deem worthy of your careful consideration what the Railroad Commissioners say on page 9 of their eleventh annual report about a remedy for the defect of our present law of rates.

It is plainly and indisputably proper and right for the representatives of the people to provide the legislative enactments necessary or expedient to enforce and execute those laws and principles which the people themselves have enacted and declared in their Constitution.

JOHN S. MARMADUKE.

Senator Allen offered the following resolution, which was read :

Resolved, That the message of his Excellency, the Governor, be laid on the table and five thousand copies thereof be printed; one thousand of which shall be in the German language, five hundred of the English edition, and two hundred of the German edition to be for the use of the Governor and the remainder for the use of the Senate.

Senator Mackey moved to strike out that part of the resolution requiring 1000 copies to be printed in the German language. The motion was lost by the following vote :

AYES—Senators Castleman, Hazell, Kelly, Ketchum, McGinnis, Mackey, Moran, Proctor, Sears, Smith, Sparks, Taggart, Webster and Wood—14.

NOES—Senators Allen, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Parcher, Saltonstall, Seabourn, Sebree, Sheldon, and Simrall—17.

ABSENT WITH LEAVE—Senators Ball and Mansfield—2.

Senator Allen then withdrew the resolution originally offered.

The following communication was received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which was read and the request complied with :

MR. PRESIDENT: I am instructed to inform the Senate that the following resolution has been introduced into and passed by the House :

Resolved, That the Senate be requested to return the resolution inviting them to meet with the House for the purpose of casting up and declaring the vote of certain officers.

Senator Claycomb offered the following resolution, which was read :

Resolved, That five thousand copies of the message of his Excellency, the Governor, be printed ; one thousand of which shall be in the German language, five hundred of the English edition and two hundred of the German edition to be for the use of the Governor and the remainder for the use of the Senate.

Senator Mackey offered the following substitute for the resolution, which was read :

Resolved, That seven thousand and five hundred copies of the message of his Excellency, the Governor, be printed ; five hundred copies of which shall be for the Governor and the remainder for the use of the Senate.

Senator Sebree offered the following amendment to the substitute :

Resolved, That fifteen hundred copies be printed in the German language.

The amendment was lost by the following vote :

AYES—Senators Allen, Claycomb, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Saltonstall, Seabourn, Sebree and Sheldon—14.

NOES—Senators Castleman, Harmon, Hazell, Kelly, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Sears, Simrall, Smith, Sparks, Taggart and Webster—16.

ABSENT—Senators Ball, Mansfield, Ryors and Wood—4.

Senator Gideon offered the following amendment :

Amend by adding to said resolution the following : One thousand of which shall be in the German language ; two hundred of the German edition to be for the use of the Governor and the remainder for the use of the Senate.

The amendment was agreed to by the following vote :

AYES—Senators Allen, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Parcher, Saltonstall, Seabourn, Sebree, Sheldon and Webster—17.

NOES—Senators Castleman, Hazell, Kelly, Ketchum, McGinnis, Mackey, Moran, Proctor, Sears, Simrall, Smith, Sparks, Taggart and Wood—14.

ABSENT—Senators Ball, Mansfield and Ryors—4.

The following communication was received from the House of Representatives through its Chief Clerk, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed by the House the following resolution:

Resolved, That the Chief Clerk be requested to notify the Senate that the House is fully organized and ready to proceed under section 5517 of Missouri Statutes, to open and publish the late election of Railroad Commissioner and Superintendent of Public Schools, and the Senate is respectfully invited to meet in the Hall of the House immediately and publish said return.

Consideration of the printing of the Governor's message was resumed.

Senator Moran offered the following amendment, which was read:

Amend amendment by adding 1,000 copies in the Italian and 1,000 copies in the Scandinavian language.

On motion of Senator Downing, further consideration of the printing of the Governor's message was postponed until 2 o'clock.

Senator Downing offered the following resolution, which was read and adopted:

Resolved, That the Secretary of the Senate inform the House that the Senate is now ready to meet the House in joint session in accordance with the resolution of the House of this date, concerning elections.

Senator Davisson granted leave of absence until Monday next.

Senator Johnson of Montgomery offered the following resolution, which was read and adopted:

Resolved, That a Committee of five be appointed to draft suitable expressions of this body upon the death of Albert H. Edwards, late Senator and President *pro tem.* of this body, and report at their pleasure.

In accordance with invitation of the House of Representatives, the Senate repaired to the hall of the House to canvass the votes for State officers.

Senate returned and was called to order by the President.

Senator Simrall submitted the following report from the special committee on employes and clerical force, which was read and laid over until Monday morning:

MR. PRESIDENT: Your committee, appointed under the resolution of the Senate and directed to examine and report to the Senate the number of clerks and employes necessary for the use of the Senate, report as follows:

In the opinion of your committee, there should be assigned to the Secretary of the Senate, eight clerks, who shall at all times be sub-

ject to the directions of the Secretary, and said clerks shall from time to time be assigned to such duties as he shall prescribe.

To the Doorkeeper should be assigned the following force: Two janitors, two firemen, one night watchman, one mail carrier and messenger.

To each of the following standing committees of the Senate should be assigned one clerk: Committee on Judiciary, Committee on Criminal Jurisprudence, Committee on Railroads and Internal Improvements, Committee on Ways and Means, Committee on Appropriations, Committee on State University, Public and Normal School Education, Committee on Corporations other than Railroad and Insurance companies, Committee on Agriculture and Roads and Highways, Committee on Accounts, Committee on Penitentiary and Public Buildings and Seat of Government, Committee on Labor, Mines and Manufacturers, Committee on Eleemosynary Institutions.

To Committee on Enrolled Bills should be assigned two clerks.

To Committee on Engrossed Bills and Printing, should be assigned one chief clerk and four assistants.

All of which is respectfully reported.

Senator Harmon submitted the following report from the special committee appointed to draft rules for the government of the Senate:

MR. PRESIDENT: Your committee appointed to prepare and submit rules for the government of the Senate during the present session, beg leave to make a further and final report that they have prepared the rules following and hereunto annexed, all of which your committee respectfully submit and recommend for adoption as the rules of the Senate:

Of the President and Senate:

RULE 1. The President shall take the chair every day at the hour to which the Senate had previously adjourned, and shall call the Senate to order, and after prayer by the Chaplain, shall cause the journal of the preceding day to be read, but the reading thereof may be dispensed with if so ordered by a vote of the Senate. If less than a majority of the Senators are present they may adjourn from day to day, and compel the attendance of absent Senators; and any two Senators at any time after the hour has arrived to which the Senate adjourned, a quorum not being present, may have a call of the Senate and have the names of the absentees entered on the journal.

RULE 2. Upon the call of the Senate, or in taking the yeas and nays on any question, the names of the Senators shall be called alphabetically.

RULE 3. Upon the call of the Senate, the names of the Senators shall be called over by the Secretary and the absentees noted, after which the names of the absentees shall again be called over. The doors shall then be shut, and those for whom no excuse, or insufficient excuses are made, may, by order of the majority of those present, if ten in number, be taken into custody as they appear, or may be sent for and taken into custody wherever to be found by the Sergeant-at-Arms or Assistant Sergeant-at-Arms, appointed by the President for that purpose, at the expense of such absent Senator or Senators respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient:

Powers and duties of the President :

RULE 4. It shall be the duty of the President to preserve order, and he may speak on all questions of order in preference to any Senator, rising from his seat for that purpose; and shall decide on all questions of order, subject to an appeal of the Senate; and all questions of order shall be noted by the Secretary, with the decision.

RULE 5. Questions shall be distinctly put in this form, to wit: "As many as are of opinion that (as the question may be,) say aye;" and after the affirmative voice is expressed, "As many as are of the contrary opinion say no." If the President doubts, or a division is called for, the Senate shall divide, those in the affirmative of the question shall first rise from their seats, and afterwards those in the negative.

RULE 6. All committees shall be nominated by the President, unless otherwise directed by the Senate.

RULE 7. Every Senator who shall be within the bar of the Senate when the question is put shall vote, unless the Senate, for special reasons, shall excuse him. All motions to excuse a Senator from voting shall be made before the Senate divides, or before the call for yeas and nays is commenced. In taking the ayes and noes, each Senator shall declare openly his assent or dissent to the question.

RULE 8. Every motion shall be reduced to writing, if the President or any Senator requires it.

RULE 9. The President may, at any time, leave the chair and call any Senator thereto, who shall be President of the Senate for the time being, and the President shall, at leisure, resume the chair; and if the Senator called to the chair shall object and the President insists, the question shall be decided by the Senate.

RULE 10. The President shall rise to put a question, but may state it sitting.

RULE 11. The President shall sign all acts, joint resolutions and addresses, and all writs, warrants and subpoenas issued by order of the

Senate shall be under his hand and attested by the Secretary; and he shall have general direction and superintendence of the Senate Chamber.

RULE 12. In case of disturbance or disorderly conduct in the lobby or galleries, the President shall have power to order the same cleared, and shall have general control of the Senate Chamber and the employes thereof, unless otherwise directed by the Senate.

President pro tem.:

RULE 13. The Senate shall, at the commencement of each regular session, elect one of its number President *pro tempore*, who shall serve during the term of the General Assembly at which he is elected, and who shall exercise the office of President during the sickness or absence of the President. (Const., Art. 5, Sec. 17.)

RULE 14. Stenographers and reporters wishing to take down the debates and proceedings of the Senate may be admitted by the President to the reporters' table on the floor of the Senate, under such regulations as he may prescribe, and he shall assign a seat to the Official Reporter of the Senate.

Secretary—his duties:

RULE 15. It shall be the duty of the Secretary to keep an exact journal of the proceedings of the Senate; and he shall, from time to time, be subject to further orders, as the Senate may direct.

RULE 16. When a bill or joint resolution passes, it shall be certified by the Secretary, noting the day of its passage at the foot thereof.

RULE 17. When a motion is made for an amendment of any bill or resolution, the mover's name shall be inserted on the journal.

Sergeant-at-Arms—his duties:

RULE 18. It shall be the duty of the Sergeant-at-Arms to attend the Senate during its sittings, to keep order in the lobby, to require all persons therein to be seated, and to execute the commands of the Senate and orders of the President, together with all such process issued by authority thereof as shall be directed to him by the President.

Doorkeeper—his duties:

RULE 19. It shall be the duty of the Doorkeeper to obey the orders of the Senate and its presiding officer.

Sworn to secrecy:

RULE 20. The Secretary, Sergeant-at-arms and Doorkeeper shall be sworn to keep the secrets of the Senate, when in secret session.

OF BILLS.

Shall be read three times:

RULE 21. Every bill shall be read on three different days.

RULE 22. No law shall be passed except by bill, and no bill shall

be so amended in its passage through the Senate as to change its original purpose. (Const., Art. 4, Sec. 25.)

RULE 23. Bills, whether they originate in the Senate or in the House, may be amended or rejected. (Const., Art. 4, Sec. 26.)

RULE 24. No bill shall be considered for final passage unless the same has been reported on by a committee and printed for the use of the Senators. (Const., Art. 4, Sec. 27.)

RULE 25. All bills reported to the Senate from any committee shall lie on the table one day before being ordered to engrossment; and bills, when reported engrossed, shall also lie over one day before a third reading thereof.

RULE 26. No bill (except general appropriation bills, which may embrace the various subjects and accounts for, and on account of, which moneys are appropriated, and except bills passed under the third subdivision of section forty-four of this Article) shall contain more than one subject, which shall be clearly expressed in its title. (Const., Art. 4, Sec. 28.)

Signing bills:

RULE 27. No bill shall become a law until the same shall have been signed by the presiding officer of the Senate in open session; and before the presiding officer shall affix his signature to any bill, he shall suspend all other business, declare that the bill will now be read, and that, if no objection be made, he will sign the same to the end that it may become a law. The bill shall then be read at length, and if no objections be made, he shall, in the presence of the Senate, in open session, and before any other business is entertained, affix his signature, which fact shall be noted on the journal. If any Senator shall object that any substitution, omission or insertion has occurred, so that the bill proposed to be signed is not the same in substance and form as when considered and passed by the Senate or House, or that any particular clause of Article 4 of the Constitution has been violated in its passage, such objection shall be passed upon by the Senate, and if sustained, the presiding officer shall withhold his signature; but if such objection shall not be sustained, then any five members may embody the same, over their signatures, in a written protest, under oath, against the signing of the bill. Said protest, when offered in the Senate, shall be noted upon the journal, and the original shall be annexed to the bill, to be considered by the Governor in connection therewith. And, if the bill be one that has not been first signed by the presiding officer of the House, it shall be immediately sent to the House after it has been so read and signed in the Senate, for such action thereon, in the House, as is prescribed by the Constitution. (Const., Art. 4, Sec. 37.)

Approval of Governor :

RULE 28. When the bill has been signed, as provided for in the preceding rule, it shall be the duty of the Secretary of the Senate, if the bill originated in the Senate, to present the same in person, on the same day on which it was signed as aforesaid, to the Governor, take his receipt therefor, and enter the fact of such delivery, and the time thereof, upon the journal. Every bill presented to the Governor and returned within ten days to the house in which the same originated, with the approval of the Governor, shall become a law, unless it be in violation of some provision of the Constitution. (Const., Art. 4, Sec. 38.)

Governor's veto :

RULE 29. Bills vetoed by the Governor and returned to the Senate by the Governor, or by the House, shall stand as reconsidered, and such action shall be taken thereon as is prescribed by the Constitution and by the joint rules of the Senate and House of Representatives. (Const., Art. 4, Sec. 39.)

Printing bills :

RULE 30. Seventy-five copies of all bills and joint and concurrent resolutions shall be printed after their first reading, and before a second reading shall be permitted, unless otherwise ordered. Bills and resolutions printed for the Senate shall be printed in bill form, and those for *information* shall so state by conspicuous headings, and all such bills and resolutions introduced in the Senate shall be printed and distributed in the order in which they are numbered, unless otherwise ordered by the Senate.

Emergency clause :

RULE 31. On all bills containing an emergency clause, the vote shall be taken on the bill, excluding the emergency clause, and if the bill receive the votes of a majority of all the Senators-elect, then the vote shall be taken on the emergency clause, and if two-thirds of all the Senators elected vote in favor of it, the bill shall take effect at the time described in the preamble or emergency clause thereof. (Const., Art. 4, Sec. 36.)

Division of question :

RULE 32. If the question in debate contain several points, any Senator may have the same divided, if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Senate ; but on motion to strike out and insert, it shall not be in order to move for a division of the question ; but a rejection of the motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a differ-

ent proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

Amendments :

RULE 33. All amendments adopted by the Senate to a bill pending and originating in the same, shall be incorporated with the bill by engrossment, and the bill, as thus engrossed, shall be printed for the use of Senators before its final passage. The engrossing and printing shall be under the supervision of a committee, whose report to the Senate shall set forth, in writing, that they find the bill truly engrossed, and that the printed copy furnished to the Senators is correct. (Const., Art. 4, Sec. 29.)

RULE 34. If a bill passed by the Senate be returned thereto amended by the House, the Senate shall cause the amendment or amendments so received to be printed, under the same supervision as provided in the next preceding section, for the use of the Senators, before final action on such amendments. (Const., Art. 4, Sec. 30.)

RULE 35. No amendment to bills by the House shall be concurred in by the Senate, except by a vote of a majority of the Senators elected, taken by yeas and nays, and the names of those voting for and against recorded upon the journal; and reports of committees of conference shall be adopted in the Senate only by the vote of a majority of the Senators elected thereto, taken by yeas and nays, and the names of those voting recorded upon the journal. (Const. Art. 4, Sec. 32.)

RULE 36. No act shall be amended by providing that designated words thereof be stricken out, or that designated words be inserted, or that designated words be stricken out and others inserted in lieu thereof; but the words to be stricken out or the words to be inserted, or the words to be stricken out and those inserted in lieu thereof, together with the act or section amended, shall be set forth in full as amended. (Const., Art. 4, Sec. 34.)

Final passage—ayes and nays:

RULE 37. To effect the passage of a bill, on the final reading thereof, the vote shall be taken by ayes and nays, and the names of the Senators voting for and against the same, shall be entered and recorded on the journal, and if a majority of the Senators-elect shall have voted in favor thereof, the bill shall be declared passed. (Const., Art. 4, Sec. 31.)

Motion to reconsider:

RULE 38. When a bill is put upon its final passage, and, failing to pass, a motion is made to reconsider the vote by which it was defeated,

the vote upon such motion to reconsider shall be immediately taken, and the subject finally disposed of before the Senate proceeds to any other business. (Const., Art. 4, Sec. 35.)

Acts set forth at length:

RULE 39. No act shall be revived or re-enacted by mere reference to the title thereof, but the same shall be set forth at length, as if it were an original act. (Const., Art. 4, sec. 33.)

Of decorum and debate:

RULE 40. When a Senator is about to speak, he shall rise and respectfully address himself to the President, standing at his seat, and wait until his name or designation is announced, when he shall proceed.

RULE 41. If two or more Senators rise at once, the President shall name the Senator who is to speak first, the other rising having the preference next to speak.

RULE 42. The President shall preserve decorum; and if any Senator transgresses the rules of the Senate, the President shall, or any Senator may, call him to order, in which case the Senator called to order shall immediately sit down, unless permitted to explain; and the Senate, if appealed to, shall decide on the case. If there be no appeal, the decision of the Chair shall be submitted to. If the decision shall be in favor of the Senator called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed.

RULE 43. If a Senator is called to order for words spoken in debate, the Senator calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the Secretary's table; and no Senator shall be held to answer, or be subject to the censure of the Senate, for words spoken in debate, if any other Senator has spoken, or other business has intervened, after the words spoken, and before exception to them has been taken.

RULE 44. No Senator shall speak more than once to the same question without leave of the Senate, unless he be the mover, proposer or introducer of the matter pending, in which he shall be permitted to speak in reply, but not until every Senator choosing to speak shall have spoken.

RULE 45. In proceedings and debates of the Senate, the Senators shall not be spoken of or addressed by each other by their individual names.

Smoking prohibited:

RULE 46. No smoking shall be allowed in the Senate Chamber.

Previous questions:

RULE 47. The previous question shall be in this form: "Shall

the main question be now put?" It shall only be admitted on demand of two Senators, and sustained by a vote of two-thirds of the Senators present; and its effects shall put an end to all debate, and bring the Senate to a direct vote upon a motion to commit, if such motion shall have been made; and if this motion does not prevail, then upon amendments reported by a committee, if any; then upon pending amendments, and then upon the main question. On the demand for the previous question, a call of the Senate shall be in order; but after two-thirds shall have sustained such motion, no call shall be in order prior to the decision of the main question.

RULE 48. On motion for the previous question, no debate shall be allowed, and all incidental questions of order arising after the motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. If, on a vote for the previous question, a majority, but less than two-thirds, of the Senators present, shall vote in the affirmative, the effect of such vote shall in nowise interfere with the consideration of the subject then pending; but if a majority of the Senators vote in the negative, then the further consideration of the subject matter before the Senate shall be postponed for that day.

Motions—how put:

RULE 49. When a motion is made and seconded, it shall be stated by the President, or being in writing it shall be handed to the Chair, and read aloud by the President or Secretary before debated.

RULE 50.—After a motion is stated by the President, it shall be deemed to be in the possession of the Senate, but may be withdrawn at any time before a decision or amendment; but afterward, only with the consent of the Senate.

Privilege motions:

RULE 51. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged; and pending the motion to lay on the table, the merits of the question shall not be discussed; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day, at the same stage of the bill or proposition.

RULE 52. A motion to adjourn and a motion to fix the day to which the Senate shall adjourn, shall always be in order, unless a Senator is speaking, or the yeas and nays are being taken, or a call is being made, and shall be decided without debate; and no Senator shall leave his seat until the result is declared.

Privileged persons:

RULE 53. No persons, except members of the House of Representatives, their clerks, the Governor, the Secretary of State, Judges of the Supreme and circuit courts, Attorney-General and members of Congress, shall be admitted within the bar of the Senate during the sitting of the same, unless invited by the Senate.

Questions—how voted on:

RULE 54. All questions, whether in committee or Senate, shall be propounded in the order in which they were moved, except privileged questions, which shall be propounded as stated in rule 51, and in filling up blanks the largest sum and longest time shall be first put.

Bills, petitions, etc.—purport to be stated:

RULE 55. When any bill, petition, memorial or remonstrance is presented to the Senate, the Senator presenting the same shall give a concise statement of the purport thereof, and it shall be disposed of according to its character, without reading, unless the reading thereof, if a bill, be required by one or more Senators, or if a petition, memorial or remonstrance, by two or more Senators.

Secret session:

RULE 56. On the discussion of any business which may, in the opinion of a Senator, require secrecy, the President shall order the gallery to be cleared; and during the discussion the doors shall remain closed, unless otherwise directed by the Senate. When nominations shall be made in writing by the Governor of the State to the Senate, a future day shall be assigned, unless the Senate unanimously direct otherwise, for taking them into consideration.

RULE 57. The chairman of each committee designated in these rules shall appoint the clerk or clerks, authorized for the committee of which he is chairman, unless otherwise ordered by the Senate.

Times of meeting:

RULE 58. The times of meeting of the Senate, unless otherwise ordered, shall be ten o'clock in the forenoon.

Protest of Senator—how entered:

RULE 59. Any Senator voting in the minority on any subject, and protesting against the vote of the Senate, may have his protest entered on the journal, if the tenor and language of such protest would have been admissible in the discussion of the subject.

Journal—ayes and nays:

RULE 60. The Senate shall, from time to time, publish an accurate journal of its proceedings, and the yeas and nays on any question shall be taken and entered on the journal at the motion of any two

Senators. Whenever the yeas and nays are demanded, the whole list of Senators shall be called, and the names of the absentees shall be noted and published in the journal.

Reconsideration:

RULE 61. When a question has once been decided by a vote of the Senate, any Senator voting on that side which prevails may move for a reconsideration of such vote at any time within three days of actual session, after the day on which the vote was had, except votes ordering bills to engrossment, which may be reconsidered at any time before the third reading of such bills; and all motions to reconsider, except votes to lie on the table and for the previous question, shall be decided by a majority vote of the Senate.

Indefinite postponement:

RULE 62. When a question is postponed indefinitely, the same shall not be acted upon during the session.

Bills engrossed:

RULE 63. All bills ordered to be engrossed shall be executed in a fair, round hand.

Ayes and noes:

RULE 64. The ayes and noes shall not be ordered on any question after a vote has been taken thereon and declared by the President.

Absentees:

RULE 65. No Senator shall absent himself from the sessions of the Senate, unless he has leave, or be sick, or unable to attend.

Three readings—when required:

RULE 66. All resolutions proposing amendments to the Constitution, and all resolutions to which the approbation and signature of the Governor may be requisite, or which may grant money out of the contingent, or any other fund, shall be treated in all respects, in the introduction and form of proceedings on them in the Senate, in a similar manner with bills; and all other orders and resolutions to which the concurrence of the House may be necessary (except for adjournment) shall lie over one day, unless the Senate shall otherwise expressly allow by a vote of two-thirds of those present.

Rules and order of business—how changed:

RULE 67. No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given of the motion therefor; nor shall any rule be suspended, or order of business, as established by the rules, be postponed or changed, except by a vote of at least two-thirds of the Senators present.

Committee of the Whole:

RULE 68. It shall be a standing order of the day, throughout the session, for the Senate to resolve itself into a Committee of the Whole.

RULE 69. In forming the Committee of the Whole, the President shall leave the chair and appoint a chairman to preside.

RULE 70. Upon a bill being committed to Committee of the Whole the same shall be read by the Secretary, and then read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined. After the report, the bill shall be subject to be debated and amended by clauses, before a question to engross and print it be taken.

RULE 71. All amendments made to an original motion in committee shall be incorporated with the motion and so reported.

RULE 72. All amendments made to reports, resolutions and other matter committed to Committee of the Whole, shall be noted and reported as in case of a bill.

RULE 73. The rules and proceedings of the Senate shall be observed in Committee of the Whole, so far as they may be applicable.

RULE 74. A majority of the Senators-elect shall be a quorum, to do business, and if the committee find itself without a quorum, the chairman shall cause the roll of the Senate to be called, and thereupon the committee shall rise, the President resume the chair, and the Chairman shall report the cause of the rising of the committee and the names of the absentees to the Senate, which shall be entered on the journal.

RULE 75. A motion for the rising of the Committee of the Whole shall always be in order unless a member of the committee is speaking or a vote being taken, and shall be decided without debate.

Standing committees and their duties:

RULE 76. The following standing committees, to consist of five members each (except the Committees on Judiciary, Criminal Jurisprudence and Railroads and Internal Improvements, which shall consist of nine members each, and the Committees on Ways and Means, Appropriations and Corporations, other than Railroad and Insurance Companies, which shall consist of seven members each), shall be appointed by the President, with leave to report by bill or otherwise:

1. A Committee on Judiciary.
2. A Committee on Criminal Jurisprudence.
3. A Committee on Railroads and Internal Improvements.
4. A Committee on Ways and Means.
5. A Committee on Appropriations.
6. A Committee on State University, Public and Normal School Education.

7. A Committee on Corporations other than Railroad and Insurance Companies.

8. A Committee on Constitutional Amendments.

9. A Committee on Enrolled Bills.

10. A Committee on Engrossment and Printing.

11. A Committee on Agriculture, Roads and Highways.

12. A Committee on Accounts.

13. A Committee on Penitentiary and Public Buildings at the Seat of Government.

14. A Committee on Insurance.

15. A Committee on Labor, Mines and Manufactories

16. A Committee on Eleemosynary Institutions.

17. A Committee on Privileges and Elections.

18. A Committee on Federal Relations.

19. A Committee on Township Organization, Representative Apportionment and County Boundaries.

20. A Committee on State and Swamp Lands.

21. A Committee on Justices of the Peace.

22. A Committee on Militia.

1. The duty of the Committee on Judiciary shall be to consider all questions relating to the judicial department of the State referred to them by the Senate, to examine and report to the Senate what statutes, if any, need to be changed, modified, repealed or amended to make them conform to the Constitution, and to examine into the constitutionality of all bills referred to them by the Senate.

2. The Committee on Criminal Jurisprudence shall consider all questions relating to criminal laws or criminal procedure referred to them by the Senate, and to examine the said laws and report measures for their better enforcement, and to adopt and report such measures as will lessen the expenditures of the State in the enforcement of such laws and report to the Senate.

3. The Committee on Railroads and Internal Improvements shall take into consideration all petitions, matters and things referred to them touching railroads, canals, navigable waters or other internal improvements or questions of transportation, and to examine the laws in relation thereto, and to report their opinion thereon, together with such bills and propositions for promoting and encouraging internal improvements and regulating transportation as they may deem expedient.

4. The Committee on Ways and Means shall examine and report upon all questions touching the revenue, public debt of the State and interest thereon.

5. The Committee on Appropriations shall report upon all bills,

measures and questions referred to it pertaining to the appropriation and disbursement of public moneys.

6. The Committee on State University, Public and Normal School Education shall examine into and report upon all matters referred to them in relation to the State University, and all petitions and matters referred to them relating to public and Normal school education, and suggest such measures as will improve their usefulness and enlarge their advantages.

7. The Committee on Corporations other than Railroad and Insurance companies shall consider all memorials, propositions, and report upon all bills relating to corporations other than railroad and insurance companies.

8. The Committee on Constitutional Amendments shall examine into and report upon all proposed amendments to the Constitution.

9. The Committee on Enrolled Bills shall examine all enrolled bills, carefully compare the same with bills as engrossed, or as finally passed, correct clerical errors and return the same to the Secretary of the Senate with the words "truly enrolled" indorsed thereon.

10. The Committee on Engrossment and Printing shall superintend the engrossing clerk, and see that all bills and amendments are properly engrossed, when required by law or the order of the Senate, and take into consideration all matters and propositions for printing or relating to the same which shall be referred to them.

11. The Committee on Agriculture, Roads and Highways, shall take into consideration such matters and things pertaining to agriculture, public and private roads, bridges and ferries as may be referred to them by the Senate.

12. The Committee on Accounts shall audit all authorized accounts for contingent expenses and accounts of members for their mileage, per diem and other allowances, and report the same to the Secretary of the Senate.

13. The Committee on Penitentiary and Public Buildings at the Seat of Government shall examine and report upon all matters referred to them in relation to the penitentiary, its management and discipline, and to examine and report upon all matters referred to them relating to public buildings and grounds of the State at the Seat of Government.

14. The Committee on Insurance shall examine and report upon all matters referred to them in relation to insurance.

15. The Committee on Labor, Mines and Manufactories shall examine all matters referred to them in relation to labor, mines, mining and manufactories, and make such report as may be necessary thereon.

16. The Committee on Eleemosynary Institutions shall examine and report upon all matters referred to them in relation to the schools

for the deaf and dumb and blind, and the lunatic asylums, and to suggest such measures as will improve their utility and economize the administration thereof.

17. The Committee on Privileges and Elections shall take into consideration all bills and other matters touching elections which shall be referred to them by the Senate.

18. The Committee on Federal Relations shall take into consideration all reports, propositions, matters and things referred to them touching amendments to the Constitution of the United States, the relation of the State with the United States or any State in the Union, and report their opinion thereon.

19. The Committee on Township Organization, Representative Apportionment and County Boundaries shall examine and report upon all matters relating to township organization, new counties, county boundaries and representative apportionment.

20. The Committee on State and Swamp lands shall examine and report upon all matters referred to them in regard to State and swamp lands.

21. The Committee on Justices of the Peace shall consider all questions, bills and measures relating to Justices of the Peace, and the laws regulating the practice and proceedings before them.

22. The Committee on Militia shall take into consideration all petitions, matters and things touching the militia, and report such bills and propositions as to them shall seem expedient for the organization, governing, disciplining and regulating the same.

RULE 77. Any Senator appointed upon any of said committees, may resign at any time by leave of the Senate, or may be, by leave of the Senate, transferred from one committee to another.

RULE 78. In cases not provided for by the above rules, the Senate shall be governed by the rules laid down in Smith's Digest and Jefferson's Manual.

Report of Committees :

RULE 79. Reports of Special or Standing Committees of the Senate relating to the appropriation, expenditure or improper use of money; also, Senate reports relating to the duty or management of any board managers, directors, trustees or agents of any of the educational and eleemosynary institutions of the State, or of any State officer, or co-ordinate branch of the State government, shall, without further order, be perpetuated by printing the same in the appendix to the journal.

RULE 80. No report of a Committee on Conference, or any House amendment to a Senate bill, shall be declared adopted without the

assent of a majority of all the Senators elect, and the ayes and nays shall be taken thereon and entered upon the journal.

Reference :

RULE 81. When motions are made to refer any subject, and different committees shall be proposed, the question shall be in the following order : The Committee of the Whole ; a Standing Committee ; a Select Committee.

RULE 82. No committee shall sit during the sitting of the Senate without special leave.

Order of business :

RULE 83. After the journal is read, business shall be disposed of in the following order :

1. Petitions, Memorials and Remonstrances.
2. Resolutions.
3. Concurrent Resolutions.
4. Joint Resolutions.
5. Introduction of Bills.
6. Reports of Standing Committees.
7. Reports of Select Committees.
8. Second reading of Senate bills.
9. Third reading of Senate bills.
10. Bills, reports and other business on the table.
11. Message from the House.
12. First reading of House bills.
13. House bills on second reading.
14. House bills on third reading.
15. Orders of the day.

RULE 84. The President shall, on each day, announce to the Senate the business in order, agreeably to the preceding rule ; and no business shall be taken up or considered until the class to which it belongs be declared to be in order ; but communications from the Governor may be read, and reports from the Committee on Enrollment received at any time ; and the unfinished business in which the Senate is engaged at the last preceding adjournment shall have preference of all orders of business except the first, second, third, fourth, fifth, sixth, seventh, eighth, twelfth, and thirteenth, which shall be called each day immediately after the journal is approved.

JOINT RULES OF BOTH HOUSES.

SECTION 1. When the business requires the attendance of the Senate in the Representatives' Chamber, they, with their Secretary, shall be conducted within the bar and there seated ; and when so assembled, the President of the Senate shall preside, and every mem-

ber of the Senate and House of Representatives shall be at liberty to make motions and debates, and the rules of the House of Representatives shall govern as if that House were in Committee of the Whole House.

SEC. 2. When a message shall be sent from one House to the other, it shall be announced by the Doorkeeper thereof, and the import thereof respectfully communicated to the Speaker or President, as the case may be, by the person by whom it is sent.

SEC. 3. Bills may originate in either house, and may be amended or rejected by the other, and every bill shall be read on three different days in each House. (Const., Art. 4, Sec. 26.)

SEC. 4. All amendments adopted by either House to a bill pending and originating in the same, shall be incorporated with the bill by engrossment, and the bill, as thus engrossed, shall be printed for the use of the members before its final passage. The engrossment and printing shall be under the supervision of a committee, whose report to the House shall set forth, in writing, that they find the bill truly engrossed, and that the printed copy furnished to the members is correct. (Const., Art. 4, Sec. 29.)

SEC. 5. If a bill passed by either House be returned thereto, amended by the other, the House to which the same is returned shall cause the amendment or amendments so received to be printed under the same supervision as provided in the next preceding section, for the use of the members, before final action on such amendments. (Const., Art. 4, Sec. 30.)

SEC. 6. No amendments to bills by one House shall be concurred in by the other, except by a vote of the majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the journal thereof; and reports of committees of conference shall be adopted in either House only by a vote of a majority of the members elected thereto, taken by yeas and nays; and the names of those voting recorded upon the journal. (Const., Art. 4, Sec. 32.)

SEC. 7. No bill shall become a law until the same shall have been signed by the presiding officer of each of the two houses in open session; and before signing the bill he shall suspend all other business, and state that the bill will now be read. If no objections are made, the bill will then be read; after the reading of which he will attach his signature to the same, that it may become a law. The signing of the same shall be noted on the journal, and the bill immediately sent to the other House. If objections are made to the fourth reading of the bill, the objections shall then be heard, after which the bill shall

take the course as prescribed in section 37, article 4 of the Constitution. (Const., Art. 4, Sec. 37.)

SEC. 8. When a bill has been signed, it shall be the duty of the Secretary of the Senate, if the bill originated in the Senate, and of the Chief Clerk of the House, if the bill originated in the House, to present the same in person, on the same day on which it was signed, to the Governor, and enter the facts in the journal. Every bill presented to the Governor, and returned within ten days approved by him, shall become a law. (Const., Art. 4, Sec. 38.)

SEC. 9. Every bill, returned without the approval of the Governor, and with his objections thereto, shall stand as reconsidered in the House to which it is returned. The House shall cause the objections of the Governor to be entered at large upon the journal, and proceed at its convenience to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the Governor thereto notwithstanding?" The vote upon the question shall be by yeas and nays, and the names entered upon the journal. If two-thirds of all the members elected to the House vote in the affirmative the presiding officer of that House shall certify the fact on the roll, attesting the same by his signature; the bill, with the objections of the Governor, shall then forthwith be sent to the other House, where like proceeding shall be had in relation thereto. If the bill receive a like majority of the votes of all the members elected to that House, the vote being taken by yeas and nays, the presiding officer shall thereupon in like manner certify the fact upon the bill. The bill thus certified shall be deposited in the office of the Secretary of State, as an authentic act, by the Clerk of the House, if it originated in the House, or the Secretary of the Senate, if it originated in the Senate. The bill shall become a law in the same manner and with like effect as if it had received the approval of the Governor. (Const., Art. 4, Sec. 39.)

SEC. 10. All orders and resolutions requiring the approbation of the Governor shall also be previously examined and signed, and shall be presented in the same manner and by the same person as provided in case of bills.

SEC. 11. When a bill or resolution, which shall have passed one House, shall be signed in the other, notice thereof shall be given the House in which the same originated.

SEC. 12. When any papers may come officially before either House of the General Assembly, or any communication of the Governor, and are proper to be acted upon by both Houses, the House before whom such papers are laid, or to whom such communications are made, as soon as they have proceeded and acted upon the same, shall lay a copy before the other House.

SEC. 13. When a vacancy shall happen in either House, notice thereof shall be given to the other House.

SEC. 14. All messages and communications between the two Houses shall be conveyed by the Clerk of the House originating the same.

SEC. 15. When a bill has been reported upon by a committee of either House, and ordered to engrossment, three hundred (300) copies shall be printed, 75 for the use of the Senate and 225 for the use of the House; and when the passage of the bill is reported to the other House the officer reporting it shall deliver the printed copies with the original bill.

SEC. 16. There shall be a committee of five members, two from the Senate and three from the House, to be known as the "Joint Committee on Printing," to whom shall be referred all reports and documents from the eleemosynary institutions of the State, the penitentiary, all reports from the heads of departments and of special committees, documentary and evidence required to be printed by law, or by the order of either or both Houses: *Provided, however*, when either House shall pass favorably upon any report or document, 1,000 copies each shall be printed for the appendix to the House and Senate Journals, in addition to the number required for the use of the Senate and House.

On motion of Senator Wood, the Senate adjourned until Monday at 10 o'clock A. M.

FOURTH DAY—MONDAY, January 10, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Leave of absence granted Senator Ryors until to-morrow.

Leave of absence granted Senator Mansfield until Thursday.

Leave of absence granted Senators Jacobs and Kerwin until to-morrow ; also Senator Proctor until to-morrow.

Senator Webster presented a petition from citizens of St. Louis county asking the submission of a prohibitory amendment to the Constitution.

Senator Castleman presented a petition from citizens of St. Louis asking the submission of a prohibitory amendment to the Constitution.

Senator Johnson of Montgomery offered the following resolution, which was read and laid over one day :

Resolved, That the Railroad Commissioners be and they are hereby requested to report to the Senate, in writing, as early as possible, what, if any legislation, in their judgment, is necessary upon the following subjects, viz.:

1st. To enforce the provisions of the Constitution of the State of Missouri relating to railroads.

2d. For the purpose of protecting the various shipping interests of the people of the State.

3d. For the purpose of regulating passenger and freight rates on the various railroads throughout the State.

4th. If, in their judgment, there should be a general revision of the railway law by the Thirty-fourth General Assembly, or only legislation sufficient, with the present law, to enable them to enforce the provisions of the State Constitution.

Senator Johnson of Montgomery offered the following resolution, which was read and adopted :

Resolved, That the Superintendent of the Insurance Department of the State of Missouri be, and he is hereby requested to report to the Senate, in writing, as soon as possible, what, if any, legislation is necessary relating to insurance in this State, and if the laws are sufficient upon the following points, viz :

1st. Are the laws of the State and the regulations of the insurance departments sufficient to enable the superintendent to enforce a strict compliance on the part of foreign insurance companies doing business in this State.

2d. To protect holders of policies in foreign and home insurance companies—fire, life or otherwise.

3d. To enable parties having claims for losses and otherwise against foreign companies doing business in this State, to collect such claims in the courts of the State, and secure proper service of the process of such courts.

Senator Castleman introduced joint and concurrent resolution No. 2, providing for submitting at elections to be held on the first Tues-

day next following the first Monday of November, 1888, an amendment to the Constitution concerning free transportation on railroads within this State of members of the General Assembly and certain State officers of the State of Missouri, which was read first time and 100 copies ordered printed.

Senator Kelly introduced Senate bill No. 20, entitled "An act to prohibit the employment of minors under the age of fourteen years in mills, mines, factories, or management of elevators in this State," which was read first time and 100 copies ordered printed.

Senator Smith introduced Senate bill No. 21, entitled "An act to provide for local option in counties, incorporated cities, towns, and villages of ten thousand inhabitants or less, and penalties for violating any of the provisions thereof," which was read first time and 100 copies ordered printed.

Senator Sears introduced Senate bill No. 22, entitled "An act to repeal an act entitled 'An act in relation to taxation of theatrical and minstrel performances by counties, villages and cities of the third and fourth classes, and in cities under special charters, and having less than five thousand inhabitants,' approved March 31, 1885," which was read first time and 100 copies ordered printed.

Senator Kelly introduced Senate bill No. 23, entitled "An act to authorize the board of public improvements of any city in this State to audit and allow claims against such city for work done and materials furnished on any street or highway under a contract with such city," which was read first time and 100 copies ordered printed.

Senator Sears introduced Senate bill No. 24, entitled "An act entitled an act to amend section 1 of an act to repeal section 2865 of chapter 44, article 3 of the Revised Statutes of the State of Missouri, 1879, in relation to the commencement of suits, services of process, etc., in justices courts, and enacting in lieu thereof a new section, approved March 22, 1883," which was read first time and 100 copies ordered printed.

Senator Ketchum introduced Senate bill No. 25, entitled "An act to amend chapter 21 of article 5 of the Revised Statutes of Missouri, relating to telegraph and telephone companies, by adding a new section thereto, to be known as section 891a, limiting the rate of charges by telephone companies under certain penalties," which was read first time and 100 copies ordered printed.

Senator Harmon introduced Senate bill No. 26, entitled "An act entitled an act to amend an act entitled 'A bill for an act to prevent the manufacture and sale of oleagenous substances or compounds of

the same, in imitation of the pure dairy products,'” which was read first time and 100 copies ordered printed.

Senator Webster introduced Senate bill No. 27, entitled “An act to provide for the working and repairing of public roads in counties having over 150 miles of macadamized and graded roads,” which was read first time and 100 copies ordered printed.

Senator Webster introduced Senate bill No. 28, entitled “An act to repeal section 5449 of chapter 98 of the Revised Statutes of Missouri, entitled ‘Of dramshops,’ and to enact a new section in lieu thereof,” which was read first time and 100 copies ordered printed.

Senator Gideon introduced Senate bill No. 29, entitled “An act to amend section 1666 of chapter 24, article 9, Revised Statutes, 1879, entitled ‘Miscellaneous provisions and matters of practice,’” which was read first time and 100 copies ordered printed.

Senator Gideon introduced Senate bill No. 30, entitled “An act to amend section 1234, article 2, chapter 24, Revised Statutes of 1879, entitled ‘Offenses against the lives and persons of individuals,’” which was read first time and 100 copies ordered printed.

Senator Johnson of Montgomery introduced Senate bill No. 31, “An act to repeal section one of an act entitled ‘An act to amend section 6013, article 4 of the Revised Statutes of Missouri, 1879, entitled ‘General provisions,’ relating to insurance and service of legal process therein,’ approved March 24, 1885, and to enact a new section in lieu thereof,” which was read first time and 100 copies ordered printed.

Senator Castleman introduced Senate bill No. 32, entitled “An act to provide for placing electrical conductors underground in cities of the first class in this State,” which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 23, entitled “An act to amend section 1367 of the Revised Statutes of the State of Missouri of 1879,” which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 34, entitled “An act to amend section 1326 of the Revised Statutes of the State of Missouri of 1879,” which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 35, entitled “An act to repeal sections 7144, 7145 and 7146 of article 2, chapter 150 of Revised Statutes of Missouri, entitled ‘Of schools,’ and to enact three new sections in lieu thereof,” which was read first time and 100 copies ordered printed.

Senator Simrall introduced Senate bill No. 36, entitled “An act to amend article 9 of chapter 145 of the Revised Statutes of the State

of Missouri of 1879, entitled 'Taxation of bridges and telegraph and express franchises,' and adding a new section thereto," which was read first time and 100 copies ordered printed.

Senator McGinnis introduced Senate bill No. 37, entitled "An act to amend section 1888 of article 18 of chapter 24 of the Revised Statutes of Missouri, entitled 'Trials and incidental proceedings,'" which was read first time and 100 copies ordered printed.

Senator McGinnis introduced Senate bill No. 38, entitled "An act to amend section 1904 of article 18 of chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" which was read first time and 100 copies ordered printed.

Senator McGinnis introduced Senate bill No. 39, entitled "An act to amend section 1963, of article 19, chapter 24 of the Revised Statutes of Missouri, entitled 'Verdict and judgments and proceedings therein,'" which was read first time and 100 copies ordered printed.

Senator McGinnis introduced Senate bill No. 40, entitled "An act in relation to the taxation of business associations by municipal corporations," which was read first time and 100 copies ordered printed.

Senator McGinnis introduced Senate bill No. 41, entitled "An act to create a commission to frame a criminal code for the State of Missouri, and to appropriate money therefor," which was read first time and 100 copies ordered printed.

Senator Parcher introduced Senate bill No. 42, entitled "An act to repeal sections 1917 and 1918 of article 18 of chapter No. 24 of the Revised Statutes, entitled 'Of crimes and criminal procedure,' and enact a new section in lieu thereof," which was read first time and 100 copies ordered printed.

Senator Parcher introduced Senate bill No. 43, entitled "An act to prevent extortion and unjust discrimination in railway charges for the transportation of passengers and freight, and for handling and delivering freight, and define more fully the duties of the Railroad Commissioners, and to repeal sections 820, 821 and 822 of article (2) and sections 832, 833, 834, 835, 836, 842, 844 and 847, article (3), all of chapter 21 of the Revised Statutes of Missouri of A. D. 1879," which was read first time and 100 copies ordered printed.

Senator Simrall introduced Senate bill No. 44, entitled "An act to amend section 2952 of article 6 of chapter 44 of Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' so as to limit the time for making applications for changes of venue in suits before justices of the peace to the return day of the summons in such suits," which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 45, entitled "An act to establish a branch county clerk's office in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, and where county courts are now or may hereafter be held at more places than one, and at places other than the county seat," which was read first time and 100 copies ordered printed.

Senator Davisson introduced joint and concurrent resolution No. 3, authorizing a special committee to examine into the arrest and detention of one Fotheringham, and the laws in regard to such proceedings," which was read first time and 100 copies ordered printed.

The President appointed as committee to draft suitable resolutions touching the death of Senator Edwards, as required by resolution adopted on Friday: Senators Johnson of Montgomery, Allen, Mackey, McGinnis and Parcher.

The report of the committee on clerical force, submitted last Friday, was taken up and adopted.

The report of the committee on rules, submitted on last Friday, was taken up.

Senator Gideon moved that the rules be printed before being adopted.

Senator Sears moved as a substitute that the report be adopted; which was carried.

Senator Harmon offered the following resolution which was read: *Resolved*, That two hundred copies of the report of the special committee on rules be printed for the use of the Senate.

Senator Gideon offered the following amendment, which was read and agreed to:

Joint Rules of the House and Senate, and also the standing committees of the Senate.

The resolution, as amended, was adopted.

Senator Harmon moved to reconsider the vote by which the resolution was adopted, which was carried.

Senator Harmon moved that the rules of the Senate, joint rules of the Senate and House of Representatives and standing committees of the Senate be printed.

Senator McGinnis offered the following amendment, which was read and agreed to:

Amend by adding the names and postoffice address of the Senators and the standing committees of the Senate.

The resolution, as amended, was adopted.

The consideration of the printing of the Governor's message was resumed.

The following amendment, offered by Senator Moran on Friday, was read and not agreed to :

Amend amendment by adding 1000 copies in the Italian and 1000 in the Scandinavian languages.

The resolution to print 7,500 copies of the Governor's message, as amended by Senator Gideon on Friday, was not agreed to.

The following resolution, offered by Senator Claycomb on Friday, was read :

Resolved, That five thousand copies of the message of his Excellency, the Governor, be printed ; one thousand of which shall be in the German language ; five hundred of the English edition and two hundred of the German edition to be for the use of the Governor, and the remainder for the use of the Senate.

Senator Moran offered the following substitute, which was read and not agreed to :

Resolved, That five thousand copies of the Governor's message be printed.

Senator Moran offered the following amendment, which was read and not agreed to :

Amend by adding : "And five hundred in the Scandinavian and five hundred in the Polish language."

The resolution was then adopted.

Senator Sebree offered the following resolution, which was read and laid over under the rules :

Resolved, That the printed rules of the Senate of the Thirty-third General Assembly be the rules of the Senate till the new rules adopted are printed and placed on the Senators' desks.

On motion of Senator McGinnis the Senate went into executive session.

Regular session resumed.

On motion of Senator Gideon, the Senate adjourned till to-morrow morning at 10 o'clock.

FIFTH DAY—TUESDAY, January 11, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The President laid before the Senate the following list of standing committees of the Senate, which was read :

Committee on Judiciary:

Senators Downing, Allen, Wood, Sebree, Sears, Hazell, Mansfield, McGinnis and Webster.

Committee on Criminal Jurisprudence:

Senators Simrall, Hunter, Saltonstall, Moran, Castleman, Smith, Johnson of Madison, Ryors and Gideon.

Committee on Railroads and Internal Improvements:

Senators Harmon, Johnson of Montgomery, Claycomb, Kerwin, Kelly, Taggart, Jacobs, Parcher and Gideon.

Committee on Ways and Means:

Senators Hunter, Ball, Sebree, Ketchum, Hazell, Ryors and Sheldon.

Committee on Appropriations:

Senators Proctor, Castleman, Sparks, Mackay, Jacobs, Davisson and Seabourn.

Committee on State University, Public and Normal School Education:

Senators Wood, Hunter, Sears, Parcher and Kerwin.

Committee on Corporations other than Railroads and Insurance Companies:

Senators Allen, Wood, Moran, Smith, Johnson of Madison, Proctor and McGinnis.

Committee on Constitutional Amendments:

Senators Saltonstall, Downing, Simrall, Mansfield and McGinnis.

Committee on Enrolled Bills:

Senators Sears, Ketchum, Johnson of Madison, Sheldon and Gideon.

Committee on Engrossment and Printing:

Senators Ball, Johnson of Montgomery, Sparks, Ryors and Davisson.

Committee on Agriculture, Roads and Highways:

Senators Johnson of Montgomery, Taggart, Parcher, Harmon and Seabourn.

Committee on Accounts:

Senators Mansfield, Mackay, Simrall, Seabourn and Ketchum.

Committee on Penitentiary and Public Buildings at the Seat of Government:

Senators Smith, Kerwin, Hazell, Sheldon and Sparks.

Committee on Insurance:

Senators Castleman, Wood, Smith, Allen and Sears.

Committee on Labor, Mines and Manufactories:

Senators Claycomb, Davisson, Sheldon, Kelly and Simrall.

Committee on Eleemosynary Institutions:

Senators Moran, Sebree, Claycomb, Webster and Ryors.

Committee on Privileges and Elections:

Senators Kerwin, Mackay, Taggart Proctor and Seabourn.

Committee on Federal Relations:

Senators Mackay, Johnson of Montgomery, Saltonstall, Harmon and McGinnis.

Committee on Township Organization, Representative Apportionment and County Boundaries:

Senators Parcher, Sparks, Claycomb, Saltonstall and Sheldon.

Committee on State and Swamp Lands:

Senators Ketchum, Kelly, Johnson of Madison, Downing and Hazell.

Committee on Justices of the Peace:

Senators Sebree, Mansfield, Gideon, Ryors and Webster.

Committee on Militia:

Senators Sparks, Hunter, Ball, Castleman and Jacobs.

Senator Hazell presented a remonstrance from citizens of Cole county against the submission of a prohibitory amendment to the Constitution, which was referred to the Committee on Constitutional Amendments.

Senator Ketchum presented a petition from citizens of St. Louis asking the submission of a prohibitory amendment to the Constitution, which was referred to the Committee on Constitutional Amendments.

Senator Ketchum presented a petition from citizens of St. Louis asking the submission of a prohibitory amendment to the Constitution, which was referred to the Committee on Constitutional Amendments.

Senator Kerwin presented a petition from citizens of St. Louis asking the submission of a Constitutional amendment prohibiting the manufacture and sale of intoxicating liquors, which was referred to the Committee on Constitutional Amendments.

Senator Davisson presented a petition from citizens of St. Louis asking the submission of a prohibitory amendment to the Constitution, which was referred to the Committee on Constitutional Amendments.

Senator Kelly presented a petition from citizens of St. Louis asking the submission of a prohibitory amendment to the Constitution, which was referred to the Committee on Constitutional Amendments.

Senator Allen offered the following resolution, which was read and laid over:

Resolved, That Senator Moran be added to the Committee on Internal Improvements.

Senator Moran offered the following resolution, which was read and 100 copies ordered printed for the use of the Senate:

Be it resolved, That we hold it to be a fundamental principle:

1. To limit as much as possible all governmental power, enlarging always and everywhere the domain of individual judgment and action; secondly, to throw back the governmental powers necessary to be exercised as much as possible upon the municipal localities comprising the State, approaching in every case the individuals to be effected.

2. That the only orthodox object of the institution of government is to secure the greatest degree of happiness possible to the general mass of those associated under it, and its powers should only be exercised to prescribe the duties and to enforce and preserve the natural rights and liberties of its citizens, not to destroy them; and we hold that these results can be best accomplished by a government of the people, acting not in person, but by representatives of their own choosing and election.

3. That no man has a natural right to commit an aggression on the equal rights of another; and this is all from which the laws ought to restrain him; every man is under the natural duty of contributing to the necessities of society; and this is all the laws should enforce on him; and, no man having a natural right to be the judge between himself and another, it is his natural duty to submit to the umpirage of an impartial court. When the Constitution and laws have declared and enforced all this, the purposes of their creation and enactment are fully realized.

4. We believe that the principles of prohibition, or coercive temperance, spring from a misconception of the proper sphere of govern-

ment. It is no part of the duty of the State to coerce the individual man except so far as his conduct may effect others, not remotely and consequentially, but by violating rights which legislation can recognize and undertake to protect. The opposite principle leaves no room for individual reason and conscience, trusts nothing to self culture, and substitutes the wisdom of the General Assembly for the plan of moral government ordained by Providence. The whole progress of society consists in learning how to attain by independent action, or voluntary association of individuals, those objects which are at first attempted only through the agency of government, and in lessening the sphere of legislation and enlarging that of the individual reason and conscience. While in favor of sobriety and good morals, we disown a proposed system of coercive legislation, which cannot produce them, but must create many serious evils, converts constitutional guaranties into police regulations, subverts the principles of local self-government and institutional liberty, invades the rightful domain of the individual judgment and conscience, and takes a step backwards towards that barbarian age when the wages of labor, the prices of commodities, a man's food, drink and clothing were dictated to him by a government calling itself paternal.

Senator Claycomb introduced Senate bill No. 46, entitled "An act to amend article 19 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' by adding thereto three new sections to be known as sections 1956*a*, 1956*b* and 1956*c*," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 47, entitled "An act entitled an act authorizing towns and cities of ten thousand inhabitants or less and having special charters, to cause the owners and occupiers of lots to build and repair the sidewalks, and in default thereof authorizing such towns and cities to build and repair sidewalks, and enforce the expense as a lien on such property, and to fix the compensation of the mayor of such town or city and the councilmen thereof, and to provide for the appointment of constable and fix his salary, and such policemen as may be necessary, and to fix the compensation of such policemen, and of the councilmen of such town or city, and to provide for the appointment and compensation of a street and sidewalk overseer," which was read first time and 100 copies ordered printed.

Senator Harman introduced Senate bill No. 48, entitled "An act to prevent extortion and unjust discrimination in the rate charged for transportation of freight on railroads in this State, and to punish the same, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal sections 820, 821 and 822, article 2, chap-

ter 21, and sections 832, 833, 834, 835, 836, 842, 844 and 847, article 3, chapter 21 of the Revised Statutes of the State of Missouri of A. D. 1879, and to establish maximum rates of charges for transportation of passengers, and to prevent unjust discrimination between passengers, and to prevent railroads from pooling their freights," which was read first time and 100 copies ordered printed.

Senator Sparks introduced Senate bill No. 49, entitled "An act to amend section 4 of the act creating the Bureau of Labor Statistics and inspection of factories, mines and workshops, approved March 23, 1883," which was read first time and 100 copies ordered printed.

Senator Downing introduced Senate bill No. 50, entitled "An act to repeal section 5365 of article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Organization of counties,'" which was read first time and 100 copies ordered printed.

Senator Saltonstall introduced Senate bill No. 51, entitled "An act to amend section 1308, article 3, chapter 24 of the Revised Statutes of Missouri for year 1879, concerning the punishment for grand larceny," which was read first time and 100 copies ordered printed.

Senator Johnson of Madison introduced Senate bill No. 52, entitled "An act to amend section 1044, article 1, chapter 23, Revised Statutes of Missouri, entitled 'Of courts of record,'" which was read first time and 100 copies ordered printed.

Senator Johnson of Madison introduced Senate bill No. 53, entitled "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue,'" which was read first time and 100 copies ordered printed.

Senator Sears introduced Senate bill No. 54, entitled "An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 55, entitled "An act entitled an act to amend an act approved March 27, 1883, entitled 'An act to restrain domestic animals from running at large,' and also an act amending said act, approved March 31, 1885, and entitled 'Animals,' by adding sections 13, 14, 15, 16, 17, 18, 19 and 20 thereto," which was read first time and 100 copies ordered printed.

Senator Sears introduced Senate bill No. 56, entitled "An act to repeal an act to amend an act to restrain domestic animals from running at large, approved March 27, 1883, by adding a new section thereto, to be known as section 12, and substitute a new act in lieu thereof," which was read first time and 100 copies ordered printed.

Senator Sheldon introduced Senate bill No. 57, entitled "An act to repeal section 507 of chapter 9 of the Revised Statutes of Missouri, concerning prosecuting and circuit attorneys," which was read first time and 100 copies ordered printed.

Senator Sheldon introduced Senate bill No. 58, entitled "An act to establish the 30th judicial circuit, and to provide for the appointment of a circuit judge therefor," which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 59, entitled "An act providing for a county councellor in counties now containing seventy-five thousand inhabitants, or that may hereafter contain seventy-five thousand inhabitants or more, prescribing their qualifications and duties, and providing for their compensation," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 60, entitled "An act entitled an act to amend chapter 59, article 7 of the Revised Statutes, 1879, entitled 'Of practice in civil cases,' by adding a new section thereto, to be known as section 1662a," which was read first time and 100 copies ordered printed.

Senator Ball introduced Senate bill No. 61, entitled "An act to repeal an act entitled 'An act to amend section 1147 of article 4 of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885, and to enact a new section in lieu thereof," which was read first time and 100 copies ordered printed.

Senator Wood introduced Senate bill No. 62, entitled "An act to repeal section 6334, chapter 129 of the Revised Statutes of Missouri of 1879, entitled 'Of merchants' licenses,' and to enact a new section in lieu thereof," which was read first time and 100 copies ordered printed.

Senator Wood introduced Senate bill No. 63, entitled "An act to repeal sections 792 and 793 of article 2, chapter 21 of the Revised Statutes of the State of Missouri, entitled 'Of private corporations,' and to enact a new section in lieu thereof," which was read first time and 100 copies ordered printed.

Senator Wood introduced Senate bill No. 64, entitled "An act to amend section 5619, chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,'" which was read first time and 100 copies ordered printed.

Senator Wood introduced Senate bill No. 65, entitled "An act to amend section 2835, article 2, chapter 44 of the Revised Statutes of Mis-

souri of 1879, entitled 'Of justices courts,' " which was read first time and 100 copies ordered printed.

Senator Ryors introduced Senate bill No. 66, entitled "An act to regulate the sale of morphine and any of its salts, and providing a penalty," which was read first time and 100 copies ordered printed.

Senator Johnson of Madison introduced Senate bill No. 67, entitled "An act to repeal sections 837, 838, 839, 840, 841, 842, 843, 844, 845 and 846 of article 3, chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations,' " which was read first time and 100 copies ordered printed.

Senator Allen offered the following resolution, which was read and adopted :

Resolved, That the Sergeant-at-Arms be, and he is hereby directed to purchase a large Fahrenheit thermometer and place the same in the Senate chamber, and to keep the room at the temperature of 68°, and that the cost of the same be paid out of the contingent fund of the Senate.

The following Senate bills were taken up, read second time and referred to committees, as follows:

Senate bill No. 1, entitled "An act providing that any city having a population of more than one hundred thousand inhabitants may frame a charter for its own government, and regulating the same," to Committee on Corporations other than Railroads and Insurance Companies ;

Senate bill No. 2, entitled "An act to provide for the selection and acquisition of land whereon to erect county buildings, and the duration of the office of superintendent," to the Committee on Judiciary ;

Senate bill No. 3, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor,' " to Committee on Penitentiary ;

Senate bill No. 4, entitled "An act to repeal an act entitled 'An act to provide for the convenient delivery of railroad freight in the city of St. Louis,' approved February 15, 1864," to the Committee on Railroads and Internal Improvements ;

Senate bill No. 5, entitled "An act to amend section 1167 of chapter 23 of Revised Statutes of Missouri, changing the time and terms of the circuit courts in the twenty-third judicial circuit of the State of Missouri," to Committee on Judiciary ;

Senate bill No. 6, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved

March 27, 1883, and amended by a new section, approved March 31, 1885," to the Committee on Judiciary;

Senate bill No. 7, entitled "An act to enable certain persons to associate and insure the members of the association against loss by fire, wind or lightning, and repealing all acts inconsistent thereto," to Committee on Insurance;

Senate bill No. 8, entitled "An act to enforce compliance with section twenty-four (24) of article twelve (12) of the Constitution of Missouri," to the Committee on Railroad and Internal Improvements;

Senate bill No. 9, entitled "An act to repeal section 4385 of article 1, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,' and to enact in lieu thereof three new sections, to be known as sections 4385, 4385*a* and 4385*b*," to Committee on Corporations other than Railroads and Insurance Companies;

Senate bill No. 10, entitled "An act to exempt certain corporations from the operation of the general insurance laws of the State of Missouri," to Committee on Insurance;

Senate bill No. 11, entitled "An act to prohibit the employment of children in mills, mines, factories or workshops in this State under the age of fourteen years," to Committee on Labor, Mines and Manufactories;

Senate bill No. 13, entitled "An act to amend section 1205 of the Revised Statutes of Missouri of 1879," to Committee on Judiciary;

Senate bill No. 14, entitled "An act authorizing county courts in counties now containing or that may hereafter contain one or more graded roads to macadamize the same, and providing the manner of doing such work," to Committee on Agriculture, Roads and Highways;

Senate bill No. 12, entitled "An act to repeal an act entitled 'An act to repeal section 3629 and 3630 of article 7, chapter 59, of the Revised Statutes of the State of Missouri for 1879, entitled 'Of issues, trials and their incidents,' 'Of practice in civil cases,'" approved March 31, 1885, and enacting in lieu thereof two new sections," to Committee on Judiciary;

Senate bill No. 15, entitled "An act to amend sections 668, 674, 693 and 700, Revised Statutes of 1879," to Committee on Judiciary;

Senate bill No. 16, entitled "An act to amend article 2 of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, to be designated as section 7154*a*," to Committee on State University and Public and Normal School Education;

Senate bill No. 17, entitled "An act to amend sections 6569 and 6570 of chapter 139 of the Revised Statutes of the State of Missouri,

1879, entitled 'Of plats,' to Committee on Corporations other than Railroads and Insurance Companies;

Senate bill No. 18, entitled "An act to amend section 5437 of chapter 98 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of dramshops,'" to Committee on Criminal Jurisprudence;

Senate bill No. 19, entitled "An act to abolish and prohibit the employment under contract of convicts and inmates of prisons, jails, penitentiaries and all public reformatory institutions in this State," to Committee on Judiciary;

Senate joint and concurrent resolution No. 1, submitting to the legal voters of the State of Missouri an amendment to the Constitution thereof in relation to the prohibiting of the manufacture and sale of intoxicating liquors, was taken up, read second time and referred to Committee on Constitutional Amendments.

On motion of Senator Parcher, 150 copies of Senate bills Nos. 43 and 48 were ordered printed.

The following resolution, offered on yesterday by Senator Johnson of Montgomery, was read second time and referred to the Committee on Railroads and Internal Improvements:

Resolved, That the Railroad Commissioners be and they are hereby requested to report to the Senate in writing as early as possible what, if any, legislation in their judgment, is necessary upon the following subjects, viz.:

1st. To enforce the provisions of the Constitution of the State of Missouri relating to railroads.

2d. For the purpose of protecting the various shipping interests of the people of the State.

3d. For the purpose of regulating passenger and freight rates on the various railroads throughout the State.

4th. If, in their judgment, there should be a general revision of the railway law by the Thirty-fourth General Assembly, or only legislation sufficient, with the present law, to enable them to enforce the provisions of the State Constitution.

Senator Sebree offered the following resolution, which was read and laid over under the rules:

Resolved, That the printed rules of the Senate of the Thirty-third General Assembly be the rules of the Senate till the new rules adopted are printed and placed on the Senators' desks.

Senator McGinnis offered the following amendment to the joint and concurrent resolution No. 1, which was read and referred to Committee on Constitutional Amendments, together with joint and concurrent resolution No. 1:

Provided, That all acts to carry into effect this provision which shall not include or be accompanied by provisions for the just and adequate compensation of all persons engaged in the production or manufacture of intoxicating liquors for the losses they may sustain by the operation of this provision, and the laws made pursuant thereto, shall be invalid.

On motion of Senator McGinnis, the Senate adjourned until tomorrow morning at 10 o'clock.

SIXTH DAY—WEDNESDAY, January 12, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Claycomb presented a petition from citizens of Vernon county asking the submission of a prohibitory amendment to the Constitution, which was referred to the Committee on Constitutional Amendments.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Smith, from citizens of St. Francois county.

By Senator McGinnis, from citizens of St. Louis county.

By Senator Allen, from citizens of Jackson county.

Senator Sears offered the following resolution, which was read and referred to the Committee on Judiciary:

WHEREAS, the Hannibal & St. Joseph Railroad Company, and other corporations existing under and by virtue of the laws of the State of Missouri, claim exemption by reason of their charters from the payment of county taxes; and

WHEREAS, they have persistently refused to pay such county taxes since the granting of their charters; therefore, be it

Resolved by the Senate, That the Judiciary Committee be requested to examine into the question and ascertain whether such corporations are liable under the present revenue law for the "assessment and taxation of railroads," and if upon an examination the same are found to be exempt under said charters, to report if said charters exempting them from county taxes can be repealed, and make full report to the Senate as speedily as may be, by bill or otherwise.

Senator Sebree offered the following resolution, which was read and referred to the Committee on Constitutional Amendments, and 100 copies ordered printed for the use of the Senate :

Resolved by the Senate : 1. That the right of a free people to petition the legislative department of the government for redress of grievances, upon all questions vitally affecting the liberty, peace, happiness, good order and police regulations of the State is inalienable and of natural right belongs to all free and liberty-loving people, nor can such right of petition be with safety to the people surrendered or impaired.

2. That the right of petition for redress of grievances involves the right to be respectfully and considerately heard, and the right to be heard reposes the duty upon the legislature to grant in reason redress of such grievances, and a refusal thereof is incompatible with a republican form of government and worthy only of the despotic governments of oriental countries.

Senator Ball introduced Senate bill No. 68, entitled "An act entitled an act for the organization of the State militia forces and appropriating money for the same," which was read first time and 100 copies ordered printed.

Senator Ball introduced Senate bill No. 69, entitled "An act to establish a uniform system of text-books to be used in the common schools of Missouri, and to repeal sections 7087, 7088 and 7089 of the Revised Statutes of Missouri of 1879," which was read first time and 100 copies ordered printed.

Senator Ball introduced Senate bill No. 70, entitled "An act to establish local option by counties," which was read first time and 100 copies ordered printed.

Senator Jacobs introduced Senate bill No. 71, entitled "An act to amend sections 8, 9, 10, 11 and 12 of an act entitled 'An act creating a Board of Health for the State of Missouri, defining its duties and powers and fixing the compensation of its officers,' approved March 29, 1883," which was read first time and 100 copies ordered printed.

Senator Moran introduced Senate bill No. 72, entitled "An act relating to dramshops, and providing for their licensing and regulation," which was read first time and 100 copies ordered printed.

Senator Harmon introduced Senate bill No. 73, entitled "An act to repeal section six thousand six hundred and sixty-one (6661) of Revised Statutes of Missouri," which was read first time and 100 copies ordered printed.

Senator Harmon introduced Senate bill No. 74, entitled "An act to amend section 3383, chapter 62, Revised Statutes of Missouri, entitled 'Of recorders of deeds,'" which was read first time and 100 copies ordered printed.

Senator Claycomb introduced Senate No. 75, entitled "An act authorizing a vote of the people to be taken at the next general election to be held on the Tuesday next following the first Monday in November, A. D. 1888, upon the question whether or not a convention shall be held for the purpose of revising and amending the Constitution of the State of Missouri," which was read first time and 100 copies ordered printed.

Senator Claycomb introduced Senate bill No. 76, entitled "An act to amend section 2 of article 1 of chapter 1 of the Revised Statues of the State of Missouri of 1879, entitled 'Of the administration of the estates of deceased persons,'" which was read first time and 100 copies ordered printed.

Senator Claycomb introduced Senate bill No. 77, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals and providing for distribution and sale thereof,' approved March 31, 1885," which was read first time and 100 copies ordered printed.

Senator Gideon introduced Senate bill No. 78, entitled "An act to amend section 2 of an act entitled 'Druggists—intoxicating liquors,' approved March 29, 1883," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 79, entitled "An act entitled an act to declare the true meaning and intent of article 9, section 1666, Revised Statutes of 1879, entitled 'Miscellaneous provisions and matters of practice,' by adding a new section thereto to be known as section 1666a," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 80, entitled "An act to amend chapter 24, article 21, section 1998, Revised Statutes of 1879, en-

titled 'Appeals and writs of error,' which was read first time and 100 copies ordered printed.

Senator Sobere introduced Senate bill No. 81, entitled "An act entitled an act regulating the granting of appeals by inferior courts and boards," which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 82, entitled "An act to amend section 2573 of chapter 35 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of frauds and perjuries,' which was read first time and 100 copies ordered printed.

Senator Seabourn introduced Senate bill No. 83, entitled "An act to repeal certain parts of an act entitled 'An act to amend section 1159 of article 4, chapter 23 of the Revised Statutes of Missouri, relating to courts of record,' approved January 31, 1885," which was read first time and 100 copies ordered printed.

Senator Johnson of Madison introduced Senate bill No. 84, entitled "An act to furnish the county of Butler the Supreme Court and the courts of appeals reports from Vol. 16; also the Revised Statutes of 1879 and session laws of 1881, 1883, 1885," which was read first time and 100 copies ordered printed.

Senator Proctor introduced Senate bill No. 85, entitled "An act to prohibit the sale or giving away of intoxicating liquors to minors, and to prohibit the purchasing or procuring for such minors any such intoxicating liquors, and to prescribe a punishment therefor," which was read first time and 100 copies ordered printed.

Senator Harmon submitted the report of the Board of Regents of the State Normal School at Warrensburg, which was referred to the Committee on State University, Public and Normal School Education.

Senator Harmon offered the following resolution, which was read and adopted:

Resolved, That a committee of five be appointed by the president to ascertain what committee rooms will be necessary for the use of the standing committees of the Senate; to secure said rooms and assign the committees thereto.

The President appointed Senators Sebree, Mansfield, Moran, Smith and Gideon.

Senator Proctor offered the following resolution, which was read:

Resolved, That the chairman of each of the following committees: On Constitutional Amendments, Insurance, Privileges and Elections, Federal Relations, Township Organization, Representative Apportionment and County Boundaries, Justices of the Peace, Militia

and Swamp Lands, be and are hereby authorized to appoint clerks for their respective committees, if, in their judgment, said clerks are desirable and for the public good.

Senator Ball offered the following amendment :

Strike out the words " if, in their judgment, said clerks are desirable and for the public good."

Senator Jacobs offered the following substitute, which was read :

Resolved, That each member of the Senate be permitted to employ a clerk.

The consideration of the confirmation of the appointments of the Governor having been made special order for 11 o'clock, said special order was taken up.

On motion of Senator Castleman, the Senate proceeded to the consideration of the special order in open session.

The President laid before the Senate the following communication from the Governor:

CITY OF JEFFERSON, January 10, 1887.

SIR: I have the honor to inform the Senate that I have appointed Louis Houck to fill vacancy in the office of Regent of Normal School district No. 3, for a term expiring January 1, 1889, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of the Senate*.

The appointment of Louis Houck was confirmed by the Senate.

The President laid before the Senate the following communication from the Governor, which was read :

CITY OF JEFFERSON, January 10, 1887.

SIR: I have the honor to inform the Senate that I have appointed Robert E. Young and Alexander Chinn to the office of Regents of Lincoln Institute Normal school for a term of six years from January 1, 1887, in which appointment the concurrence of the Senate is respectfully requested. . .

Very respectfully

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

The appointment of Robert E. Young and Alexander Chinn was confirmed by the Senate.

The President laid before the Senate the following communication from the Governor, which was read :

CITY OF JEFFERSON, January 10, 1887.

SIR: I have the honor to inform the Senate that I have appointed Henry W. Williams to the office of recorder of voters for the City of

St. Louis, for a term of four years from January 1, 1887, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

The appointment of Henry W. Williams was confirmed by the Senate.

The President laid before the Senate the following communication from the Governor, which was read :

CITY OF JEFFERSON, January 10, 1887.

SIR : I have the honor to inform the Senate that I have appointed Louis W. Danforth and Charles C. Rozier to the office of Regents of Normal School district No. 3, for a term of six years, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

The appointment of Louis W. Danforth and Charles C. Rozier was confirmed by the Senate.

The President laid before the Senate the following communication from the Governor, which was read :

CITY OF JEFFERSON, January 10, 1887.

SIR : I have the honor to inform the Senate that I have appointed J. H. Kinyoun and James B. Gantt to the office of Regents of Normal School district No. 2, for a term of six years, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

The appointment of J. H. Kinyoun and James B. Gantt was confirmed by the Senate.

The President laid before the Senate the following communication from the Governor, which was read :

CITY OF JEFFERSON, January 10, 1887.

SIR : I have the honor to inform the Senate that I have appointed Andrew Ellison and Sumner Boynton to the office of Regents of Normal School district No. 1, for a term of six years, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

On motion of Senator McGinnis, the question was divided and the vote taken first on the confirmation of Sumner Boynton.

The appointment of Sumner Boynton was confirmed by the Senate.

On motion of Senator Wood, the appointment of Andrew Ellison was confirmed by the Senate.

The President laid before the Senate the following communication from the Governor, which was read :

CITY OF JEFFERSON, January 10, 1887.

SIR: I have the honor to inform the Senate that I have appointed Waller Young, James W. Heddens, Artileas V. Banes, George W. Davis, William W. Ramsay, Thomas R. Valliant, William K. Debord, to the office of Managers of Lunatic Asylum No. 2, for a term ending March 1, 1890, in which appointments the concurrence of the Senate is respectfully requested. Very respectfully,

JOHN S. MARMADUKE.

TO HON. A. P. MOREHOUSE, *President of Senate*.

The above appointments of the Governor were confirmed by the Senate.

The President laid before the Senate the following communication from the Governor, which was read :

CITY OF JEFFERSON, January 10, 1887.

SIR: I have the honor inform the Senate that I have appointed Norman J. Colman, Charles C. Bland and Joseph S. Moss to the office of Curator of State University for a term of six years, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

TO HON. A. P. MOREHOUSE, *President of Senate*.

On motion of Senator McGinnis the question was divided and Norman J. Colman was confirmed by the following vote :

AYES—Senators Allen, Ball, Castleman, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Sears, Seabee, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—27.

NOES—Senators Claycomb, Davisson, Gideon, McGinnis, Ryors, Seabourn and Webster—7.

On motion of Senator Castleman, the appointment of Charles C. Bland and Joseph S. Moss was confirmed.

The President laid before the Senate the following communication from the Governor, which was read :

CITY OF JEFFERSON, January 10, 1887.

SIR: I have the honor to inform the Senate that I have appointed Edwin W. Stephens to fill vacancy in the office of Curator of the State

University for a term expiring January 1, 1889, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

The appointment of Edwin W. Stephens was confirmed by the Senate.

The President laid before the Senate the following communication from the Governor, which was read:

CITY OF JEFFERSON, January 10, 1887.

SIR: I have the honor to inform the Senate that I have appointed Dr. Glen O. Hardeman to fill vacancy in the office of Manager of Lunatic Asylum No. 1 for a term ending February 6, 1889, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

The appointment of Dr. Glen O. Hardeman was confirmed by the Senate.

The President laid before the Senate the following communication from the Governor, which was read:

CITY OF JEFFERSON, January 10, 1887.

SIR: I have the honor to inform the Senate that I have appointed Benjamin G. Dysart to fill vacancy in the office of Manager of Lunatic Asylum No. 1, for a term ending February 6, 1889, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

The appointment of Benjamin G. Dysart was confirmed by the Senate.

The President laid before the Senate the following communication from the Governor, which was read:

CITY OF JEFFERSON, January 10, 1887.

SIR: I have the honor to inform the Senate that I have appointed James L. Blair and Edward Wilkerson to the office of police commissioner for the city of St. Louis, for a term of four years from January 1, 1887, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

The appointment of James L. Blair and Edward Wilkerson was confirmed by the Senate.

The consideration of the substitute offered by Senator Jacobs to the resolution offered by Senator Proctor, in relation to clerical force, was resumed, and the substitute was not agreed to.

The amendment offered by Senator Ball was then taken up and agreed to.

Senator Harmon offered the following substitute, which was read :

Resolved, That a committee of three be appointed by the President to assign the committee clerks, authorized by the Senate, to the committees not having clerks, and said clerks shall be subject to the order of chairmen of committees not having clerks, in the order in which they are assigned, when not in the actual employ of their original committee.

The substitute was not adopted by the following vote:

AYES—Senators Claycomb, Downing, Gideon, Harmon, Hunter, Jacobs, Johnson of Madison, McGinnis, Mackey, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Taggart and Wood—16.

NOES—Senators Allen, Ball, Castleman, Davisson, Hazell, Johnson of Montgomery, Kerwin, Ketchum, Mansfield, Moran, Parcher, Proctor, Ryors, Sebree, Smith, Sparks and Webster—17.

ABSENT—Senator Kelly.

Senator Johnson of Madison offered the following amendment, which was read and not adopted :

Amend by adding thereto: When a majority of any committee shall decide that such committee needs the services of a clerk, the chairman may appoint a clerk.

The resolution, as amended, was not adopted by the following vote:

AYES—Senators Allen, Ball, Davisson, Hazell, Kelly, Kerwin, Ketchum, Mansfield, Parcher, Proctor, Ryors, Sebree, Smith, Sparks and Webster—15.

NOES—Senators Castleman, Claycomb, Downing, Gideon, Harmon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, McGinnis, Mackey, Moran, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Taggart and Wood—19.

Senator Allen withdrew the resolution offered by him on yesterday, and which was laid over under the rules.

By unanimous consent, Senator Jacobs introduced Senate bill No. 86, entitled "An act to authorize a vote of the people to be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State," which was read first time and 100 copies ordered printed.

On motion of Senator Downing, the Senate adjourned until tomorrow morning at 10 o'clock.

SEVENTH DAY—THURSDAY, January 15, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Proctor offered the following resolution, which was read :

Resolved, That the President of the Senate appoint a committee of three to confer with the chairman of each committee not now provided with a clerk, and report to the Senate all committees, if any, that may need and desire a clerk.

. The resolution was adopted by the following vote:

AYES—Senators Allen, Ball, Gideon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Parcher, Proctor, Ryors, Sears, Sebree, Smith, Sparks and Webster—17.

NOES—Senators Castleman, Claycomb, Downing, Harmon, Jacobs, Johnson of Madison, McGinnis, Mackey, Mansfield, Saltonstall, Seabourn, Sheldon, Simrall, Taggart and Wood—15.

ABSENT—Senators Davisson and Moran—2.

The President appointed the following committee: Senators Proctor, Claycomb and McGinnis.

Senator Gideon introduced Senate bill No. 87, entitled "An act to establish an appellate court, to be known as the Springfield Court of Appeals; the appointment and election of three judges, and their tenure of office, and providing for the appointment of officers and attendants on said courts, and their compensation," which was read first time and 100 copies ordered printed.

Senator Claycomb introduced Senate bill No. 88, entitled "An act to appropriate money for the purpose of erecting additions and making other necessary improvements to Lunatic Asylum No. 3, located at Nevada, Missouri," which was read first time and 100 copies ordered printed.

Senator Hunter introduced Senate bill No. 89, entitled "An act to amend section 7095, article 1, chapter 150, Revised Statutes of Missouri of 1879, entitled 'Of schools,' " which was read first time and 100 copies ordered printed.

Senator Hunter introduced Senate bill No. 90, entitled "An act to provide for the refunding and payment of the State debt and repeal

chapter 153 and sections 7551, 7552, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633, 7634 and 7635 of article 1 of chapter 164 of the Revised Statutes of Missouri," which was read first time and 100 copies ordered printed.

Senator Webster introduced Senate bill No. 91, entitled "An act to amend section 4 of an act entitled 'An act to amend chapter 21 of the Revised Statutes of Missouri, by adding a new article thereto entitled 'Trust companies,' approved March 20, 1885,'" which was read first time and 100 copies ordered printed.

Senator Johnson of Montgomery, introduced Senate bill No. 92, entitled "An act to amend section 2 of an act entitled 'An act to regulate sales of real estate under mortgages and deeds of trust and the manner of giving notice thereof,' approved March 27, 1885," which was read first time and 100 copies ordered printed.

Senator Proctor introduced Senate bill No. 93, entitled "An act to guard more sacredly the money and property belonging to the various counties in this State, and to insure the most careful management of county affairs," which was read first time and 100 copies ordered printed.

Senator Proctor introduced Senate bill No. 94, entitled "An act to establish an academic department in connection with Lincoln Institute for the higher education of the negro race," which was read first time and 100 copies ordered printed.

Senator Proctor introduced Senate bill No. 95, entitled "An act appropriating money to properly equip the State Agricultural College and farm of Missouri," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 96, entitled "An act to amend chapter 25 of the Revised Statutes of 1879, entitled 'Of damages and contributions in actions of tort,' by adding a new section thereto, to be known as section 2121a," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 97, entitled "An act to amend chapter 21, article 2 of Revised Statutes, 1879, by adding a new section thereto and to be known as section 830a," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 98, entitled "An act to amend section 1 of an act entitled 'An act to amend article 2, entitled 'Railroad companies,' of Revised Statutes of 1879, by adding two new sections thereto, approved March 31, 1885,' and to add a new section thereto to be known as section 3," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 99, entitled "An act to amend an act amending section 809, chapter 21, article 2, approved March 31, 1885," which was read first time and 100 copies ordered printed.

Senator Gideon introduced Senate bill No. 100, entitled "An act to amend an act entitled 'An act to amend section 5439 of chapter 98, Revised Statutes of 1879, entitled 'Of dramshops,' approved March 17, 1885," which was read first time and 100 copies ordered printed.

Senator Gideon introduced Senate bill No. 101, entitled "An act to amend section 2804 of article 1 of chapter 44, Revised Statutes, 1879, entitled 'Justices courts,' " which was read first time and 100 copies ordered printed.

Senator Mansfield introduced Senate bill No. 102, entitled "An act to repeal section 1881 of chapter 24, article 27 of the Revised Statutes of Missouri of 1879, in relation to changes of venue in criminal cases, and enacting a new section in lieu thereof relating to same subject," which was read first time and 100 copies ordered printed.

Senator Mansfield introduced Senate bill No. 103, entitled "An act to repeal sections 3, 4 and 41 of an act to revise and amend the general law in relation to roads and highways, and providing for the establishing, opening, repairing and vacating the same, approved March 31, 1883, and enact three new sections in lieu thereof relating to the same subject, to be numbered 3, 4 and 41 respectively," which was read first time and 100 copies ordered printed.

Senator Parcher introduced Senate bill No. 104, entitled "An act relating to the shipment of live stock, grain and other articles of trade, and repealing all acts inconsistent therewith," which was read first time and 100 copies ordered printed.

Senator Simrall introduced Senate bill No. 105, entitled "An act to regulate the transportation of freight by railway, and to define the duties of the Railway Commissioners in regard thereto, and to repeal section 820 and 821 of article 2, chapter 21, and sections 833, 834, 835, 838, 839, 840, 842 and 844 of article 3, chapter 21, Revised Statutes of Missouri," which was read first time and 100 copies ordered printed.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance Companies, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 1, entitled "An act providing that any city having a population of more than 100,000 inhabitants may frame a charter for its own government,

and regulating the same," having duly considered the same and recommend that it do pass.

On motion, the printing of the above bill for information was ordered to be the printing for engrossment.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance Companies, which was read :

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 9, entitled "An act to repeal section 4385 of chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,' and to enact in lieu thereof three new sections, to be known as sections 4385, 4385*a* and 4385*b*," having duly considered the same and recommend that it do pass with the accompanying amendment:

Amend by adding after the word "by," in printed bill, line 61, the words "any law of this State."

The bill, as amended, was ordered engrossed and printed.

Senator Wood moved to reconsider the vote by which Senate bill No. 9, and amendment, was ordered engrossed and printed, which was agreed to.

On motion of Senator Wood, the amendment offered by the committee was adopted, and Senate bill No. 9, as amended, was ordered engrossed and printed.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred resolution requesting Railroad Commissioners to give information, etc., have considered the same and recommend that it do pass.

In accordance with the recommendation of the committee, the resolution was adopted.

Senator Downing submitted the following report from the Committee on Judiciary, which was read and laid over :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 5, entitled "An act to amend section 1167, chapter 23 of Revised Statutes of Missouri, changing the times and terms of the circuit courts in the twenty-third judicial circuit of the State of Missouri," beg leave to report that they have duly considered the same and recommend that it do pass.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 13, entitled "An act to amend section 1205 of Revised Statutes of Missouri of 1879," beg leave to report that they have duly considered the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend section one by striking out the word "hereafter" where it occurs in the 7th line of the preamble in section one.

The amendment was read and agreed to.

Amendment No. 2. And further amend said section by striking out the word "hereafter," between the words "held" and "monthly," when it occurs in the 9th line of section 1205, set forth as amended.

The above amendment was read and agreed to.

Senator Downing made the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 12, entitled "An act to repeal an act entitled 'An act to repeal sections 3629 and 3630 of article 7, chapter 59 of the Revised Statutes of the State of Missouri for 1879, entitled 'Of issues trials and their incidents,' 'Of practice in civil cases,' approved March 31, 1885, and enacting in lieu thereof two new sections,'" beg leave to report that they have duly considered the same and recommend that it do pass.

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 6, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, and amended by a new section, approved March 31, 1885," beg leave to report that they have duly considered the same and recommend that it do pass.

The following Senate bills were taken up, read the second time and referred to committees, as follows:

Senate bill No. 20, entitled "An act to prohibit the employment of minors under the age of fourteen (14) years in mills, mines, factories, or management of elevators in this State," to Committee on Labor, Mines and Manufactories;

Senate bill No. 21, entitled "An act to provide for preventing the evils of intemperance by local option in any county, incorporated city, town or village of ten thousand inhabitants or less, or municipal township in this State, by submitting the question of prohibiting the sale and manufacturing of intoxicating liquors to the qualified voters of

such county, incorporated town or village, or municipal township, to provide penalties for its violation, and for other purposes," to Committee on Criminal Jurisprudence;

Senate bill No. 22, entitled "An act to repeal an act entitled 'An act in relation to the taxation of theatrical and minstrel performances by counties, villages and cities of the third and fourth classes, and in cities under special charters, and having less than five thousand inhabitants,' approved March 31, 1885," to Committee on Judiciary;

Senate bill No. 23, entitled "An act to authorize the board of public improvements of any city in this State to audit and allow claims against such city for work done and materials furnished on any street or highway under a contract with such city," to Committee on Corporations other than Railroads and Insurance Companies;

Senate bill No. 24, entitled "An act entitled an act to amend section 1 of an act to repeal section 2865 of chapter 44, article 3 of the Revised Statutes of the State of Missouri, 1879, in relation to the commencement of suits, services of process, etc., in justices courts, and enacting in lieu thereof a new section, approved March 22, 1883," to Committee on Justices of the Peace;

Senate bill No. 25, entitled "An act to amend chapter 21 of Revised Statutes of Missouri, relating to telegraph and telephone companies, by adding a new section thereto, to be known and designated as section 891a, limiting the rate of charges by telephone companies under certain penalties," to Committee on Corporations other than Railroads and Insurance Companies;

Senate bill No. 26, entitled "An act entitled an act to amend an act entitled 'A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products,'" to Committee on Criminal Jurisprudence;

Senate bill No. 27, entitled "An act to provide for the working and repairing of public roads in counties having over 150 miles of macadamized and graveled roads," to Committee on Agriculture, Roads and Highways;

Senate bill No. 28, entitled "An act to repeal section 5449, chapter 98 of the Revised Statutes of Missouri, entitled 'Of dramshops,' and to enact a new section in lieu thereof," to Committee on Criminal Jurisprudence;

Senate bill No. 29, entitled "An act to amend section 1666 of chapter 24, article 9, Revised Statutes of 1879, entitled 'Miscellaneous provisions and matters of practice,'" to Committee on Criminal Jurisprudence;

Senate bill No. 30, entitled "An act to amend section 1234, article 2, chapter 24, Revised Statutes of 1879, entitled 'Offenses against the

lives and persons of individuals,'” to Committee on Criminal Jurisprudence;

Senate bill No. 31, entitled “An act to repeal section one of an act entitled ‘An act to amend section 6013, article 4 of the Revised Statutes of Missouri, 1879, entitled ‘General provisions,’ relating to insurance and service of legal process therein,’ approved March 24, 1885, and to enact a new section in lieu thereof,” to Committee on Insurance;

Senate bill No. 32, entitled “An act to provide for placing electrical conductors underground in cities of this State of the first class,” to Committee on Corporations other than Railroad and Insurance Companies;

Senate bill No. 33, entitled “An act to amend section 1367 of the Revised Statutes of the State of Missouri of 1879,” to Committee on Criminal Jurisprudence;

Senate bill No. 34, entitled “An act to amend section 1326 of the Revised Statutes of the State of Missouri of 1879,” to Committee on Criminal Jurisprudence;

Senate bill No. 35, entitled “An act to repeal sections 7144, 7145 and 7146 of article 2, chapter 150 of the Revised Statutes of Missouri, entitled ‘Of schools,’ and to enact three new sections in lieu thereof,” Committee on State University, Public and Normal School Education;

Senate bill No. 36, entitled “An act to amend article 9 of chapter 145 of the Revised Statutes of the State of Missouri of the year 1879, entitled ‘Taxation of bridges and telegraph and express franchises,’ by adding thereto a new section, to be known as section 6904a,” to Committee on Criminal Jurisprudence;

Senate bill No. 37, entitled “An act to amend section 1888 of article 18 of chapter 24 of the Revised Statutes of Missouri, entitled ‘Trials and incidental proceedings,’” to Committee on Criminal Jurisprudence;

Senate bill No. 38, entitled “An act to amend section 1904 of article 18 of chapter 24 of the Revised Statutes of Missouri, entitled ‘Of crimes and criminal procedure,’” to Committee on Criminal Jurisprudence;

Senate bill No. 39, entitled “An act to amend section 1963 of article 19 of chapter 24 of the Revised Statutes of Missouri, entitled ‘Verdict and judgments and proceedings thereon,’” to Committee on Criminal Jurisprudence; ●

Senate bill No. 40, entitled “An act in relation to the taxation of business avocations by municipal corporations,” to Committee on Judiciary;

Senate bill No. 41, entitled “An act to create a commission to frame

a criminal code for the State of Missouri, and to appropriate money therefor," was read second time and laid over until to-morrow ;

Senate bill No. 42, entitled "An act to repeal sections Nos. 1917 and 1918 of article No. 18 of chapter No. 24 of the Revised Statutes of Missouri of A. D. 1879, entitled 'Of crimes and criminal procedure,' and to enact a new section in lieu thereof, to be designated as section No. 1917," was read second time and referred to Committee on Criminal Jurisprudence ;

Senate bill No. 43, entitled "An act to prevent extortion and unjust discrimination in railway charges for the transportation of passengers and freight, and for handling and delivering freight, and to define more fully the duties of the Railroad Commissioners, and to repeal sections 820, 821 and 822 of article 2, and sections 832, 833, 834, 835, 836, 842, 844 and 847, article 3, all of chapter 21 of the Revised Statutes of Missouri of A. D. 1879," was read second time and referred to Committee on Railroads and Internal Improvements ;

Senate bill No. 44, entitled "An act to amend section 2952 of article 6 of chapter 44 of Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' so as to limit the time for making applications for changes of venue in suits before justices to the return day of the summons in such suits," was read second time and referred to Committee on Justices of the Peace ;

Senate bill No. 45, entitled "An act to establish a branch county clerk's office in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, and where county courts are now or may hereafter be held at more places than one, and at places other than the county seat," was read second time and referred to Committee on Corporations other than Railroads and Insurance Companies ;

Senate bill No. 46, entitled "An act to amend article 19 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' by adding thereto three new sections to be known as sections 1956a, 1956b and 1956c," was read second time and referred to Committee on Criminal Jurisprudence ;

Senate bill No. 47, entitled "An act entitled an act to enable the council of any incorporated town or city in this State having a special charter and containing ten thousand inhabitants or less, to cause the owner, or owners or occupiers of property or lots on any alley or street in said town or city to build and repair sidewalks adjacent to said property or lot, and in default of so doing on the part of said owner, owners or occupiers thereof, to enable such town or city council to build and repair any sidewalk, and make the costs and expense thereof a lien on

the property or lot adjacent to said sidewalk so built or repaired, and to fix the compensation of the mayor of such town or city and the councilmen thereof, and to provide for the appointment of a constable and fix his salary, and such policemen as may be necessary, and to fix the compensation of such policemen, and of the councilmen of such town or city, and to provide for the appointment and compensation of a street and sidewalk overseer," was read second time and referred to Committee on Corporations other than Railroad and Insurance Companies.

Senator Sebree submitted the following report from the committee appointed to secure committee rooms for the use of Senate committees which was read and adopted :

MR. PRESIDENT: Your committee to whom was referred the duty of securing rooms for the convenience of the various committees of the Senate, beg leave to submit the following :

That the chairman of the Committees on Judiciary, Criminal Jurisprudence, Railroad and Internal Improvements, Ways and Means, Appropriations, Eleemosynary Institutions, Corporations other than Railroads and Insurance Companies, to meet in the rooms of Judiciary Committee.

Enrolled Bills, Engrossment, Penitentiary and Agriculture, Roads and Highways, be authorized to secure suitable headquarters for their respective committees.

The Committees on University, Public and Normal Schools, shall meet at the office of the Superintendent of Public Instruction.

That the Committees on Insurance and Constitutional Amendments shall meet at the room of the chairman of the Committee on Justices of the Peace.

That the Committees on Federal Relations, Swamp Lands and Privileges and Elections meet at the room of the Committee on Eleemosynary Institutions.

That the Committees on Militia, Township Organization, Representative Apportionment and County Boundaries meet at the room of the Committee on Criminal Jurisprudence.

That the Committee on Labor, Mines and Manufactories meet at the room of the Committee on Ways and Means.

Senator Harmon offered the following resolution, which was read and laid over under the rules:

Amend Rule 25 as follows: Strike out of lines two and three the words "unless otherwise ordered by the Senate," and by striking out of the last lines the words "unless otherwise ordered."

Joint and concurrent resolution No. 2, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning the repeal of section twenty-four (24) of article XII. of the Constitution, and enacting a new section in lieu thereof, to be known as section twenty-four (24) of the Constitution, providing for free transportation over all of the railroads within the State of Missouri of members of the General Assembly of the State of Missouri, and of certain State officers of said State, and providing for the issuance of passes therefor, was taken up, read second time and referred to Committee on Constitutional Amendments.

Joint and concurrent resolution No. 3, providing for an investigation into certain reports in relation to one Fotheringham, and providing for a committee of the House and Senate for that purpose, was taken up, read second and referred to Committee on Criminal Jurisprudence.

Senator Wood submitted the following report from the committee appointed to draft suitable resolutions relating to the death of Senator William M. Vancleve, which was read and adopted:

MR. PRESIDENT: Your committee appointed to draft suitable resolutions in regard to the death of the late Senator Vancleve, beg leave to submit the following preamble and resolutions:

WHEREAS, On the 15th day of May, A. D. 1886, the Allwise Ruler of the Universe, in his wisdom, called our distinguished associate in this chamber, Senator William M. Vancleve, from his active career as a noble citizen and his usefulness here as a member of the Senate, to that life beyond the vale, to that higher and purer sphere; therefore, be it

Resolved, First, that we as members of the Senate, in our tribute of respect to the memory of our deceased associate, desire to express our profound sorrow and regret at his death; our admiration of his sterling qualities of heart and mind that distinguished him as a citizen and as a co-laborer in this chamber for the best interest of the State of Missouri, to which he was devoted.

Second, That his surviving associates, who served with him during the last session of this Assembly, keenly realize that in his death we have lost a true friend, a congenial and valuable Senator, whose efforts were untiring and whose voice was raised in this chamber for the good of the people who so wisely chose him to the position he so ably filled.

Third, That death stopped him in his useful career, and his memory will be enshrined in the hearts of his associates.

Fourth, That the members of this Senate extend to his bereaved relations and sympathizing friends our sincere sympathies, and that a copy of these resolutions be properly engrossed and signed by the

President and Secretary of the Senate and furnished to the family of deceased.

Senator Wood moved that the resolution be engrossed and signed by the President and Secretary of the Senate, and that a copy thereof be sent to the family of the deceased, which was agreed to.

Senator McGinnis offered the following resolution, which was read and adopted :

Resolved, That the memorial statement of the Senator from Macon be spread upon the journal, as a further tribute of respect to the memory of the late Senator Vancleve.

Address of Senator Sears before the Senate on the resolution of respect to the memory of Senator Vancleve :

MR. PRESIDENT: The relations which I bore to Senator Vancleve seem to make it imperative upon me not to remain silent when a tribute is to be paid to his memory. This occasion adds further gloom and deepens the grief which I have heretofore felt and which is necessarily further intensified by my surroundings, occupying as I do the place of my departed companion and predecessor, Senator Vancleve, whom, by mysterious and unaccountable events, in God's providence, I have the honor to succeed.

It is proper that, I too, in conjunction with other Senators, express regret on account of his loss to this Chamber, and as a citizen contribute a tear to that stream of sorrow that flows through the hearts of a people who are sorely bereaved by the death of Senator Vancleve.

I was intimately acquainted and closely connected with Senator Vancleve for a number of years; living in the same town, county and State, we were on the most intimate terms.

We frequently ate at the same table and slept under the same roof. We were members of the same political party, and in each and every relationship, on the most cordial and confident terms.

I stood by his bedside during the closing scenes of his life, and wiped the death-damp from his brow; and amid the sobs and tears of his bereaved relations and sympathizing friends, I watched the last spark of life depart from his noble and manly form.

Senator Vancleve departed this life at his residence in the City of Macon, at 9:30 o'clock, Saturday morning, May 15th, 1886. Though not unlooked for, it cast a gloom over the entire community.

Senator Vancleve was born in Clark county, Virginia, Nov. 4, 1840. With his parents he came to Missouri in 1855 and settled in Randolph county. After receiving a common school and academic education he taught in the public schools of Randolph and Chariton counties.

In 1861 he returned to his old home in Virginia where he was mar-

ried in the following year. He remained in Virginia until 1871, when he came to Macon, where he resided until his death, an honored and useful citizen.

Some time after his return from Virginia he engaged in profitable business pursuits, and by his business ability, his economy and frugality, he did a successful business for several years. He was always prominent in all public movements for the advancement of his city and county.

He contributed freely to charitable and educational institutions; in fact, he was one of Macon's most enterprising citizens, and a man possessed of many virtues, admired by all, and beloved by a very large circle of friends at home and throughout the State.

Senator Vancleve lived and died a Democrat, and the love of politics, of which he had a taste, never abated amid the absorbing demands of his varied business relations, that engrossed his mind and taxed his strength through the larger part of his life. He tasted the draught of political life, and in 1878 he was chosen to represent the southern district of Macon county in the House of Representatives of the State Legislature, and in 1884 he was elected to the State Senate from the important Senatorial district that I now have the honor to represent. It was my pleasure to support Senator Vancleve for the Senate in 1884; and as one of the delegates to the Senatorial convention from Macon county, I was selected to place him in nomination before that convention, in which he was nominated on the first ballot.

He manifested a deep interest in the military service of the State. In 1881 he was appointed a brigadier general by Governor Crittenden, and assigned to the command of the second brigade, National Guards of Missouri, which honorable position he filled with great interest. He was chairman of the Militia Committee of the Senate, and exerted his efforts to secure legislation that would aid the military of the State.

In 1880 a sad affliction overtook him, his devoted and beloved wife was taken from him by the hand of death, leaving behind three lovely children, who survive their parents.

He was a member of the Baptist church and his funeral was conducted by his pastor.

If there had been a doubt that Senator Vancleve was held in high esteem by his acquaintances, that doubt would have been removed by the expression and manifestation at his funeral. It was largely attended, and the military and civic societies turned out to honor his memory. The funeral services were performed at his once happy home. We escorted his remains to the beautiful Oakwood cemetery, where they were deposited in the vault beside his departed wife.

Fellow Senators, Senator Vancleve had his faults; who is there of us that have not our faults?

“Let us be to his faults a little blind,
And to his virtues ever kind.”

One of the compensations for death is the belief that when it comes the errors of our life will be buried with the body, and that the eccentricities of our human nature be rounded into a shining orbit of charity. Who would speak of the dead save in the phrases of loving kindness?

Fellow Senators, he took his seat here and served through the last session, but was not permitted to serve out the term of his election—death stopped him in his useful career. He died in the prime of manhood. He has crossed over the river. His manly and stalwart form lies in the cemetery of the city in which he spent a portion of his life. There he will rest, his dust mingling with the dust of kindred, friends and neighbors, until the morn of resurrection, his memory enshrined in the hearts of the people of Macon, long to be remembered as one who had done his city, county and State some service, who died as he had lived,

“An honest man—the noblest work of God.”

On motion of Senator Wood, the Senate adjourned until 10 o'clock to-morrow morning.

EIGHTH DAY—FRIDAY, January 14, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

Senator Gideon, from citizens of Greene county.

Senator Sparks, from citizens of Henry county.

Senator Seabourn, from citizens of Barry county.

Senator Sheldon, from citizens of Cedar county.

Senator Johnson, of Madison, from citizens of Madison county.

Senator Hazell, from citizens of Moniteau county.

Senator Moran offered the following resolution which was read:

Resolved, That a special committee of three be appointed by the President to investigate the comparative results of Constitutional prohibition of the liquor traffic as compared with high license, and report to the Senate.

Senator Mansfield offered the following substitute, which was read:

Resolved, First, that all resolutions and local option bills now pending and to be presented affecting the manufacture and sale of intoxicating liquors be referred to the Committee on Constitutional Amendments.

Resolved, Second, that the Committee on Constitutional Amendments be and they are hereby instructed to take into consideration all propositions now pending and to be presented affecting the liquor question, and report to this body, by bill or otherwise, the result of their deliberations.

On motion of Senator Mackey, the substitute was laid on the table by the following vote:

AYES—Senators Castleman, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Mackey, Parker Proctor, Ryors, Saltonstall, Seabourn, Seabee, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—20.

NOES—Senators Allen, Ball, Claycomb, Davisson, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Sears, and Wood—13.

ABSENT—Senator Harmon.

Leave of absence granted Senator Harmon until to-morrow.

Senator Wood offered the following resolution, which was read and agreed to:

Resolved, That the Secretary of the Senate be allowed one additional clerk, whose duty it shall be to copy all resolutions sent up, and to render such other clerical service as may be required of him by the Secretary.

Senator Allen introduced Senate bill No. 106, entitled "An act to amend section 1962 of article 19 of the Revised Statutes of Missouri of 1879, entitled 'Verdict and judgment and proceedings thereon,'" which was read first time and 100 copies ordered printed.

Senator Smith introduced Senate bill No. 107, entitled "An act to amend article 2 of chapter 24, Revised Statutes of the State of Missouri, in relation to crimes and criminal procedure, by adding a new section to be known as section 1234*a*," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 108, entitled "An act to amend chapter 51, Revised Statutes of 1879, by adding a new section," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 109, entitled "An act to amend article 5, Revised Statutes of 1879, entitled 'Telegraph and telephone companies,' by adding section 891*a* and section 891*b*," which was read first time and 100 copies ordered printed.

Senator Simrall introduced Senate bill No. 110, entitled "An act to enable guardians and curators to invest the funds of their wards in real estate," which was read first time and 100 copies ordered printed.

Senator Simrall introduced Senate bill No. 111, entitled "An act to authorize county courts to submit the question of granting dramshop license in their respective counties to a vote of the people," which was read first time and 100 copies ordered printed.

Senator Sheldon introduced Senate bill No. 112, entitled "An act to repeal an act entitled 'An act in relation to marriage and marriage licenses,'" which was read first time and 100 copies ordered printed.

Senator Ball introduced Senate bill No. 113, entitled "An act to repeal section 6705 of chapter 145, article 2 of the Revised Statutes of Missouri, 1879, and to repeal said section, as amended by the session acts of 1881, at page 180 of said session acts, approved March 24, 1881," which was read first time and 100 copies ordered printed.

Senator Saltonstall introduced Senate bill No. 114, entitled "An act to reduce the compensation of members of the General Assembly to the requirements of the Constitution, by amendment, section 6237 of chapter 124 of the Revised Statutes of 1879," which was read first time and 100 copies ordered printed.

Senator Castleman introduced Senate bill No. 115, entitled "An act defining the duties of circuit and prosecuting attorneys, and assistant circuit and prosecuting attorneys of courts of this State having jurisdiction of criminal matters in cities within this State which now have or may have hereafter populations of 200,000 inhabitants; forbidding the employment of said officers in business other than that of the State by parties other than the State; forbidding their accepting, taking, receiving, contracting or bargaining for any fee, reward, gift or

thing of value whatever, other than the salary provided by law for any services by them rendered during the term of their offices; providing in certain cases for their suspension from office and for the appointment by the Governor of their successors; providing the duties, qualifications and compensations of their successors, and providing punishments for the violation of the provisions of this act," which was read first time and 100 copies ordered printed.

Senator Seabourn introduced Senate bill No. 116, entitled "An act to amend section 1 of an act entitled 'An act to amend section 1904 of article 18, chapter 24 of the Revised Statutes of Missouri of 1879, entitled 'Of crimes and criminal procedure,' approved March 23, 1881," which was read first time and 100 copies ordered printed.

Senator Seabourn introduced Senate bill No. 117, entitled "An act to repeal section 6663 of article 1 of chapter 145 of the Revised Statutes of Missouri of 1879, in relation to taxation and equalization," which was read first time and 100 copies ordered printed.

Senator Seabourn introduced Senate bill No. 118, entitled "An act allowing juries per diem and mileage who have been found by the court to be qualified to sit as jurors in cases provided for in the first two subdivisions of section 1900, chapter 103 of the Revised Statutes, Missouri of 1879," which was read first time and 100 copies ordered printed.

Senator Claycomb introduced Senate bill No. 119, entitled "An act to require parents, guardians or other persons in the State of Missouri having control and charge of a child or children between the ages of eight and fourteen years, to send them to school," which was read first time and 100 copies ordered printed.

Senator Jacobs introduced Senate bill No. 120, entitled "An act in relation to marriage and marriage license," which was read first time and 100 copies ordered printed.

Senator Hunter submitted a report from the committee appointed by the Governor to settle with the Auditor and Treasurer, which was laid over one day.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 36, entitled "An act to amend article 9 of chapter 145 of the Revised Statutes of the State of Missouri, 1879, entitled 'Taxation of bridges and telegraph and express franchises,' and add thereto a new section," beg leave to report that they have carefully considered the same and recommend that it do pass.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT : Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 29, entitled " An act to amend section 1666 of chapter 24, article 9 of Revised Statutes of 1879, entitled 'Miscellaneous provisions and matters of practice,' " beg leave to report that they have carefully considered the same and a majority of the committee recommend that it do pass.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT : Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 46, entitled "An act to amend article 19 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' by adding thereto three new sections, to be known as sections 1956a, 1956b, 1956c," beg leave to report that they have carefully considered the same and recommend that it do pass, with the accompanying amendment :

Amend printed bill by striking out in sixth line the words "surrounded by a wall," after the word "enclosure," and before the word "higher."

The amendment was agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT : Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 18, entitled "An act to amend section 5437 of chapter 98 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of dramshops,' " beg leave to report that they have carefully considered the same and recommend that it do not pass.

Senator Castleman offered the following resolution, which was read and laid over one day.

Resolved, That a committee of three, in addition to the committees prescribed by the rules of the Senate, to be known as the Committee on Joint Printing of the Senate, be appointed by the President of the Senate, whose duties shall be to superintend and control the printing of the Senate. It shall be the duty of said committee to act in conjunction with the committee of similar character and duties of the House ; and all printing of matter which shall be of the same and ordered printed by both houses shall be printed upon the joint order of the two committees of the Senate and House. Said committee shall be entitled to a clerk.

Senator Proctor submitted the following report from the select committee, which was read and agreed to :

MR. PRESIDENT : We, the undersigned committed appointed under

the resolution of the Senate to ascertain what additional clerical force, if any, is necessary for the committees of the Senate, respectfully recommend that the Committees on Township Organization, Federal Relations and Militia be allowed one clerk, who shall serve the three committees; the Committees on Constitutional Amendments and Insurance shall have one clerk, who shall serve both committees; the Committees on State and Swamp Lands and Privileges and Elections and Justices of the Peace shall have one clerk, who shall serve the three committees, and that the chairmen of the committees named shall select the clerk by a majority vote.

The following communication was received from Hon. Alfred Carr, Commissioner of Insurance, which was read:

ST. LOUIS, January 12, 1887.

To the President of the Senate of the Thirty-fourth General Assembly of the State of Missouri:

Replying to the request of your honorable body, made by resolution of the 10th inst., that I report to the Senate, in writing, what, if any, legislation is necessary relating to insurance in this State, and if the laws are sufficient upon certain points specified in said resolution, I have the honor to say, in answer to your general question, and to the first and second special points to which you invite my attention, that, in my judgment, the laws of Missouri, as a whole, afford fuller protection to the insured than do the laws of any other State, and that any additional legislation should be approached with extreme caution.

In answer, however, to the third special point raised in your request, I will say that under the existing law, providing for service of process in suits against foreign insurance companies, justices courts outside the city of St. Louis seem to be without power to secure proper service of process issued by them, and that it might be well to provide by proper enactment for service of process of such courts, or to abolish the jurisdiction of justices courts in such cases altogether. As to which of the two courses should be pursued by the legislature, I am not at this time prepared to suggest.

Very respectfully yours,

ALFRED CARR,

Superintendent.

On motion of Senator Mackey, 200 copies of the communication from the Insurance Commissioner was ordered printed, and communication referred to the Committee on Insurance.

The President laid before the Senate a communication from Judge Thomas, which was referred to the Committee on Judiciary and 200 copies ordered printed.

The following Senate bills were taken up, read second time and referred to committees, as follows :

Senate bill No. 48, entitled "An act to prevent extortion and unjust discrimination in the rates charged for transportation of freights on railroads in this State, and to punish the same, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal sections 820, 821 and 822, article 2, chapter 21, and sections 832, 833, 834, 835, 836, 842, 844 and 847, article 3, chapter 21 of the Revised Statutes of the State of Missouri of A. D. 1879, and to establish maximum rates of charges for transportation of passengers, and to prevent unjust discrimination between passengers, and to prevent railroads from pooling their freights," to Committee on Railroads and Internal Improvements ;

Senate bill No. 49, entitled "An act to amend section four (4) of the act creating the Bureau of Labor Statistics and inspection of factories, mines and workshops, approved March 23, 1883," to Committee on Labor, Mines and Manufactories ;

Senate bill No. 50, entitled "An act to repeal section 5365 of article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Organization of counties,'" to Committee on Judiciary ;

Senate bill No. 51, entitled "An act to amend section one thousand three hundred and eight, article three, chapter twenty-four of the Revised Statutes of Missouri for the year 1879, concerning the punishment for grand larceny," to Committee on Criminal Jurisprudence ;

Senate bill No. 52, entitled "An act to amend section 1044, article 1, chapter 23, Revised Statutes of Missouri, entitled 'Of courts of record,'" to Committee on Judiciary ;

Senate bill No. 53, entitled "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue,'" to Committee on Ways and Means ;

Senate bill No. 54, entitled "An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor," to Committee on Penitentiary and Public Buildings at the Seat of Government. .

The following Senate bills were taken up and ordered engrossed and printed :

Senate bill No. 5, entitled "An act to amend section 1167 of chapter 23 of Revised Statutes of Missouri, changing the time and terms of the circuit courts in the twenty-third judicial circuit of the State of Missouri ;"

Also, Senate bill No. 6, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved

March 27, 1883, and amended by a new section, approved March 31, 1885 ;”

Also, Senate bill No. 12, entitled “An act to repeal an act entitled ‘An act to repeal sections 3629 and 3630 of article 7, chapter 59 of the Revised Statutes of the State of Missouri for 1879, entitled ‘Of issues, trials and their incidents,’ ‘Of practice in civil cases,’ approved March 31, 1885, and enacting in lieu thereof two new sections ;”

Also, Senate bill No. 13, entitled “An act to amend sections 1205 of the Revised Statutes of Missouri of 1879 ;”

Senate bill No. 41, entitled “A act to create a commission to frame a criminal code for the State of Missouri and to appropriate money therefor,” was read second time and referred to the Committee on Criminal Jurisprudence.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 1, entitled “An act providing that any city having a population of more than one hundred thousand inhabitants may frame a charter for its own government, and regulating the same,” beg leave to report that they have carefully examined the same and find it to be truly engrossed, and that the copies thereof printed for information are correct.

On motion of Senator Gideon, the Senate went into executive session.

Regular session resumed.

On motion of Senator McGinnis, the injunction of secrecy was removed from the proceedings of the executive session.

Senator Allen granted leave of absence until Tuesday.

On motion of Senator Allen, the Senate adjourned until Monday at 2 o'clock P. M.

NINTH DAY—MONDAY, January 17, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Leave of absence was granted Senator Castleman until to-morrow.

Senator Mansfield was granted leave of absence until Thursday.

Senators Kelly and Kerwin were granted leave of absence until to-morrow.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Hazell, from citizens of Moniteau county.

By Senator Saltonstall, from citizens of Saline county.

By Senator Sears, from citizens of Macon county.

By Senator Ball, from citizens of Pike county.

Senator Sebree introduced joint and concurrent resolution No. 4, submitting to the qualified voters of Missouri an amendment to the Constitution thereof concerning the adoption of a general local option law, which was read first time and 100 copies ordered printed.

Senator Claycomb introduced Senate bill No. 121, entitled "An act to amend section 3514 of article 5 of chapter 59 of the Revised Statutes of Missouri of 1879, entitled 'Of practice in civil cases,'" which was read first time and 100 copies ordered printed.

Senator Johnson of Madison introduced Senate Bill No. 122, entitled "An act to repeal section 3514, article 5, chapter 59 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of practice in civil cases,' and to enact a new section in lieu thereof," which was read first time and 100 copies ordered printed,

Senator Webster introduced Senate bill No. 123, entitled "An act to amend section 3229 of article 2, chapter 48 of Revised Statutes of Missouri, entitled 'Limitation of actions,'" which was read first time and 100 copies ordered printed.

Senator Parcher introduced Senate bill No. 124, entitled "An act to enforce compliance with the provisions of section 22 of article 12 of the State Constitution, and to repeal section 818 of article 2 of chapter

21 of the Revised Statutes of Missouri of 1879," which was read first time and 100 copies ordered printed.

Senator Parcher introduced Senate bill No. 125, entitled "An act to amend an act entitled 'An act to amend section 6879, and to repeal section 6880, and enact a new section in lieu thereof, and to amend section 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads,' also a new section numbered 6886*a*, also an emergency clause,' approved March 17, A. D. 1885, by adding a new section to be numbered 6886*b*," which was read first time and 100 copies ordered printed.

Senator Moran introduced Senate bill No. 126, entitled "An act to establish and conduct a school for the reformation of the criminal youths of the State of Missouri," which was read first time and 100 copies ordered printed.

Senator Moran introduced Senate bill No. 127, entitled "An act relating to the rights and liabilities of married women, and to repeal section 3291 of the Revised Statutes of Missouri of 1879, relating to married women, and add five new sections in lieu thereof," which was read first time and 100 copies ordered printed.

Senator Moran introduced Senate bill No. 128, entitled "An act to amend section 4014 of chapter 72 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of witnesses,'" which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 129, entitled "An act to amend chapter 38, Revised Statutes of Missouri, 1879, entitled 'Of habeas corpus,' by adding 2 new sections thereto to be known as section 2688*a* and section 2688*b*," which was read first time and 100 copies ordered printed.

Senator Sebree introduced Senate bill No. 130, entitled "An act entitled 'General local option,' to prevent the evils of intemperance by local option in any county in this State, the city of St. Louis and such other cities as may be operating under scheme and charter at the time of the general election in this State in the year 1888, and in any ward of any such city or cities by submitting the question of prohibiting the sale of intoxicating liquors to qualified voters of such county or city, or ward thereof; to provide penalties for its violation and for other purposes," which was read first time and 100 copies ordered printed.

Senator Wood introduced Senate bill No. 131, entitled "An act to amend section 4940, article 5, chapter 89, Revised Statutes of Missouri

of 1879, entitled 'Of cities, towns and villages,' which was read first time and 100 copies ordered printed.

Senator Jacobs introduced Senate bill No. 132, entitled "An act to pay the county of Livingston school money improperly withheld from it for the year 1875," which was read first time and 100 copies ordered printed.

Senator McGinnis introduced Senate bill No. 133, entitled "An act conferring certain powers upon cities whose population entitles them to be ranked as cities of the first and second classes, in relation to the inspection of live stock," which was read first time and 100 copies ordered printed.

Senator Sheldon introduced Senate bill No. 134, entitled "An act to amend article 2 of chapter 145 of the Revised Statutes of Missouri, concerning the assessment and collection of the revenue, by adding one new section thereto, to be known as section 6731*a*," which was read first time and 100 copies ordered printed.

Senator Sheldon introduced Senate bill No. 135, entitled "An act to amend section 2 of an act entitled 'An act to amend section 6772 of article 4, and section 6834 of article 6 of chapter 145 of the Revised Statutes of Missouri, relating to the assessment and collection of revenue, approved March 31, 1885,' which was read first time and 100 copies ordered printed.

Senator Smith introduced Senate bill No. 136, entitled "An act to establish the office of circuit attorney in the various judicial circuits throughout the State, and to provide for the election of the same at the general election of 1888, and to prescribe the duties thereof," which was read first time and 100 copies ordered printed.

Senator Smith introduced Senate bill No. 137, entitled "An act to amend an act entitled 'An act in relation to prosecuting and circuit attorneys, in repealing sections 512, 513, 514, 515, 516, 517*a* and 518 of the Revised Statutes of Missouri, and to enact new sections in lieu thereof of the same numbers,' which was read first time and 100 copies ordered printed.

Senator Ball submitted the following reports from the Committee on Engrossed Bills, which were read :

MR. PRESIDENT : Your Committee on Engrossed Bill, to whom was referred Senate bill No. 9, entitled "An act to repeal section 4385 of article 1, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,' and to enact in lieu thereof three new sections to be known as sections 4385, 4385*a* and 4385*b*," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 5, entitled "An act to amend section 1167 of chapter 23 of Revised Statutes of Missouri, changing the time and terms of the circuit courts in the twenty-third judicial circuit of the State of Missouri," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 13, entitled "An act to amend section 1205 of the Revised Statutes of Missouri of 1879," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 6, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, and amended by a new section approved March 31, 1885," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 12, entitled "An act to repeal an act entitled 'An act to repeal sections 3629 and 3630 of article 7, chapter 59 of the Revised Statutes of the State of Missouri for 1879, entitled 'Of issues, trials and their incidents,' 'Of practice in civil cases,' approved March 31, 1885, and enacting in lieu thereof two new sections," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 50, entitled "An act to repeal section 5365 of article 4, chapter 95, of the Revised Statutes of Missouri, entitled 'Organization of counties,'" beg leave to report that they have duly considered the same and recommend that it do pass.

Senator Downing submitted the following report from the Committee on Judiciary, which was read and laid over till to-morrow :

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate bill No. 2, entitled, "An act to provide for the selection and acquisition of land whereon to erect county buildings, and the duration of the office of superintendent," beg leave to report that they have duly considered the same and recommend that the accompanying substitute do pass.

Senator Downing submitted a report from the special committee appointed by the Governor to visit and examine the asylums, State University and other public institutions other than those at the seat of government, which was read.

Senator Ball moved that 500 copies be printed.

Senator McGinnis offered the following substitute for the motion of Senator Ball, which was read and adopted :

Resolved, That three thousand copies of this report be printed ; one thousand for the journal, one thousand for the House, five hundred for the Senate and five hundred for the various institutions, to be distributed by the Secretary of State.

On motion of Senator McGinnis, the printing of the report of the special committee was ordered to take precedence of all other printing.

The following Senate bills were taken up, read second time and referred to committees, as follows :

Senate bill No. 55, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, and amended March 31, 1885, by adding a new section 13, by further adding thereto sections 14, 15, 16, 17, 18, 19 and 20, which said sections 14, 15, 16, 17, 18, 19 and 20 shall read as follows," to Committee on Agriculture, Roads and Highways ;

Also, Senate bill No. 56, entitled "An act to repeal an act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, by adding a new section thereto, to be known as section 12, and substitute a new act in lieu thereof," to Committee on Agriculture, Roads and Highways ;

Also, Senate bill No. 57, entitled "An act to repeal section 507 of chapter 9 of the Revised Statutes of Missouri, concerning prosecuting and circuit attorneys, and to enact in lieu thereof the following section," to Committee on Criminal Jurisprudence ;

Also, Senate bill No. 58, entitled "An act to establish the thirtieth judicial circuit, and to provide for the appointment of a circuit judge thereof, and to fix the times of holding court therein," to Committee on Judiciary ;

Also, Senate bill No. 59, entitled "An act providing for the appointment of a county counselor in counties now containing or that hereafter may contain seventy-five thousand inhabitants or more, prescribing their qualifications and duties, and providing for their compensation," to Committee on Judiciary ;

Also, Senate bill No. 60, entitled "An act to amend chapter 59, article 7 of the Revised Statutes of Missouri, 1879, entitled 'Of practice

in civil cases,' by adding a new section thereto, to be known as section 3662a," to Committee on Judiciary;

Also, Senate bill No. 62, entitled "An act to repeal section 6334, chapter 129 of the Revised Statutes of Missouri of 1879, entitled 'Of merchants' licenses,' and to enact a new section in lieu thereof," to Committee on Criminal Jurisprudence;

Also, Senate bill No. 63, entitled "An act to repeal sections 792 and 793 of article 2, chapter 21 of the Revised Statutes of the State of Missouri, entitled 'Of private corporations,' and to enact two new sections in lieu thereof," to Committee on Railroads and Internal Improvements;

Also, Senate bill No. 64, entitled "An act to amend section 5619, chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' " to Committee on Justices of the Peace;

Also, Senate bill No. 65, entitled "An act to amend section 2835, article 2, chapter 44 of the Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' " to Committee on Justices of the Peace;

Also, Senate bill No. 66, entitled "An act to regulate the sale of morphine and any of its salts, and providing a penalty," to Committee on Criminal Jurisprudence;

Also, Senate bill No. 67, entitled "An act to repeal sections 837, 838, 839, 840, 841, 842, 843, 844, 845 and 846 of article 3, chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations,'" to Committee on Railroads and Internal Improvements;

Also, Senate bill No. 68, entitled "An act entitled an act for the organization of the State military forces, and appropriating money for the same," to the Committee on Militia;

Also, Senate bill No. 69, entitled "An act to establish a uniform system of text books to be used in the common schools of Missouri, and to repeal sections 7087, 7088 and 7089 of the Revised Statutes of Missouri of 1879," to Committee on State University, Public and Normal School Education;

Also, Senate bill No. 70, entitled "An act to establish local option by counties," to Committee on Criminal Jurisprudence;

Also, Senate bill No. 71, entitled "An act to amend sections 8, 9, 10, 11 and 12 of an act entitled 'An act creating a board of health for the State of Missouri, defining its duties and powers, and fixing the compensation of its officers,' approved March 29, 1883," to Committee on Criminal Jurisprudence;

Also, Senate bill No. 72, entitled "An act relating to dramshops and dramshop keepers, providing for their licensing and regulation," to Committee on Criminal Jurisprudence;

Also, Senate bill No. 73, entitled "An act to repeal section six

thousand six hundred and sixty-one (6661) of the Revised Statutes of Missouri of 1879," to Committee on Judiciary ;

Also, Senate bill No. 74, entitled "An act to amend section 3833, chapter 62 of the Revised Statutes of Missouri, entitled 'Of recorders of deeds,' " to Committee on Ways and Means ;

Also, Senate bill No. 75, entitled "An act authorizing a vote of the people to be taken at the next general election to be held on the Tuesday next following the first Monday in November, A. D. 1888, upon the question whether or not a convention shall be held for the purpose of revising and amending the Constitution of the State of Missouri," to Committee on Constitutional Amendments ;

Also, Senate bill No. 61, entitled "An act to repeal an act entitled 'An act to amend section 1147 of article 4 of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885, and to enact a new section in lieu thereof," was taken up and read second time.

Senator Ball offered the following amendment, which was read and agreed to :

Amend by adding an emergency clause. Section 2. That inasmuch as there is large expense attending the holding of courts, and as under the present law a March term of the Louisiana court of common pleas must be held, therefore an emergency exists within the meaning of the Constitution ; therefore, this act shall take effect and be in force from and after its passage.

The bill, as amended, was referred to the Committee on Judiciary.

The report of the select committee appointed by the Governor to settle with the State Auditor and State Treasurer, was taken up and adopted.

The following resolution, offered by Senator Castleman on Friday, was taken up and read :

Resolved, That a committee of three, in addition to the committee prescribed by the rules of the Senate, to be known as the Committee on Joint Printing of the Senate, be appointed by the President of the Senate, whose duties shall be to superintend the printing of the Senate. It shall be the duty of said committee to act in conjunction with the committee of similar character and duties of the House, and all printing of matter which shall be of the same and ordered printed by both houses, shall be printed upon the joint order of the two committees of the Senate and the House. Said committee shall be entitled to a clerk.

Senator McGinnis offered the following amendment, which was read and adopted :

Amend by striking out the words "and control."

The resolution, as amended, was adopted.

The president appointed the following as Committee on Joint Printing: Senators Castleman, Smith and Sheldon.

The following amendment, offered by Senator Harmon on Friday, was taken up, read and adopted:

Amend rule 25, as follows: Strike out of lines two and three the words "unless otherwise ordered by the Senate," and by striking out of the last line the words "unless otherwise ordered."

On motion of Senator McGinnis, the Senate adjourned until tomorrow morning at 10 o'clock.

TENTH DAY—TUESDAY, January 18, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions were presented, asking the submission of a prohibitory amendment to the Constitution, and were referred to the Committee on Constitutional Amendments:

By Senator Sebree, from citizens of Carroll county.

By Senator Taggart, from citizens of Harrison county.

By Senator Sears, from citizens of Macon county.

By Senator Parcher, from citizens of Nodaway county.

By Senator Johnson of Madison, from citizens of Ripley county.

By Senator Mackey, from citizens of Linn county.

By Senator Claycomb, from citizens of Barton county.

Senator Claycomb presented a remonstrance from citizens of Jasper county against the appropriation of money for military purposes, which was referred to the Committee on Militia.

Senator Sears offered the following resolution, which was read:

Resolved, That before any Senate committee shall report adversely on a Senate bill, said committee shall notify the Senator who introduced such bill to appear before such committee and give his reasons for the passage of the same.

Senator Sebree offered the following amendment, which was read and not agreed to :

Provided, the Senator so notified of the meeting of the committee does not give satisfactory reasons for not appearing before the committee.

Question recurring on the resolution of Senator Sears, the resolution was adopted.

Senator Johnson of Montgomery offered the following resolution, which was read and adopted :

Resolved, That the Senate shall proceed at the hour of 11 o'clock to-day to vote for a United States Senator to represent the State of Missouri in the United States Senate, as required and provided by act of Congress for the election of United States Senators.

Senator Ball offered the following resolution, which was read :

Resolved, That the Committee on Justices of the Peace be authorized to employ a clerk for said committee.

Senator Harmon offered the following substitute, which was read :

Resolved, That there be seven clerks elected by the Senate to do all the clerical work of the standing committees of the Senate.

The resolution and substitute were laid over until to-morrow.

Senator Moran offered the following resolution, which was read and adopted :

Resolved, That employes of the Senate shall not disturb mail lying on the desks of Senators, or other matter.

Senator Moran introduced Senate bill No. 138, entitled "An act to amend section 1550 of article 8, of chapter 24 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure,' " which was read first time and 100 copies ordered printed.

Senator Claycomb introduced Senate bill No. 139, entitled "An act to provide for the drainage of lead and zinc mines, and to regulate the liability of the owners of mineral bearing lands and the lessees thereof who are benefited thereby," which was read first time and 100 copies ordered printed.

Senator Wood introduced Senate bill No. 140, entitled "An act to provide for the preventing of the evils of intemperance by local option in any county in this State and in cities of 3,000 or more by submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of such county or city, to provide penalties for its violation, and for other purposes," which was read first time and 100 copies ordered printed.

Senator Sparks introduced Senate bill No. 141, entitled "An act to

amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees,' " which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate bill No. 142, entitled "An act to amend an act entitled 'An act to authorize any city containing more than 20,000 and less 250,000 and less than 250,000 inhabitants, existing by virtue of special or local laws, to extend its limits, and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained,'" which was read first time and 100 copies ordered printed.

Senator Allen introduced Senate No. 143, entitled "An act to authorize cities of over 50,000 inhabitants to compel the placing of electric, telephone and telegraph wires under ground," which was read first time and 100 copies ordered printed.

Senator Smith introduced Senate bill No. 144, entitled "An act to repeal an act to incorporate the town of Dallas, in Bollinger county, Missouri, approved December 6, 1885," which was read first time and 100 copies ordered printed.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence to whom was referred Senate bill No. 34, entitled "An act to amend section 1326 of the Revised Statutes of the State of Missouri of 1879," beg leave to report that they have carefully examined the same and recommend that it do pass.

The following Senate bills were taken up, read second time and referred to committees, as follows :

Senate bill No. 76, entitled "An act to amend section 2, of article 1 of chapter 1 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of the administration of the estates of deceased persons,'" to the Committee on Judiciary;

Also, Senate bill No. 77, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885," to Committee on Judiciary ;

Also, Senate bill No. 78, entitled "An act to amend section 2 of an act entitled 'Druggist—intoxicating liquors,' approved March 29, 1883," to Committee on Criminal Jurisprudence ;

Also, Senate bill No. 79, entitled "An act entitled an act to declare the true meaning and intent of article 9, section 1666, Revised Statutes of 1879, entitled 'Miscellaneous provisions and matters of

practice,' by adding a new section thereto, to be known as section 1666a," to Committee on Judiciary;

Also, Senate bill No. 80, entitled "An act to amend chapter 24, article 21, section 1998 of Revised Statutes of 1879, entitled 'Appeals and writs of error,'" to Committee on Criminal Jurisprudence;

Also, Senate bill No. 81, entitled "An act entitled an act to regulate appeals to the circuit court from township boards and courts inferior to the circuit court in counties having fifty thousand inhabitants or less," to Committee on Judiciary.

Also, Senate bill No. 82, entitled "An act to amend section 2513, chapter 35 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of frauds and perjuries,'" to the Committee on Judiciary;

Also, Senate bill No. 83, entitled "An act to repeal certain parts of an act entitled 'An act to amend section 1159 of article 4, chapter 23 of the Revised Statutes of Missouri of 1879, relating to courts of record,' approved January 31, 1885," to Committee on Judiciary.

Also, Senate bill No. 84, entitled "An act to furnish the county of Butler the Supreme Court and the courts of appeal reports from volume 16; also the Revised Statutes of 1879 and session laws of 1881, 1883 and 1885," to Committee on Ways and Means.

Also, Senate bill No. 85, entitled "An act to prohibit the sale or giving away of intoxicating liquor to minors, and to prohibit the purchasing or procuring for such minors any such intoxicating liquor, and to prescribe a penalty therefor," to Committee on Criminal Jurisprudence;

Also, Senate bill No. 86, entitled "An act to authorize a vote of the people to be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State," to the Committee on Constitutional Amendments.

Substitute to Senate bill No. 2, entitled "An act to provide for the selection and acquisition of land whereon to erect county buildings," was taken up and read, and Senator Simrall offered the following amendment to the substitute, which was read first and second times and agreed to:

Amend substitute for Senate bill No. 2 by striking out the words "or it," in the 2d line of section 3, and inserting in lieu thereof the following words: "and if said county court and the owner of said land cannot agree upon the compensation said owner is to receive for the land to be acquired, said county court."

Substitute to Senate bill No. 2, as amended, was agreed to and ordered engrossed and printed.

The time fixed for the election of a United States Senator to succeed Senator F. M. Cockrell having arrived, the President announced

that nominations for United States Senator for the term of six years, beginning on March 4, 1887, and ending March 4, 1893, were in order.

Senator Mackey placed Hon. Francis M. Cockrell in nomination.

Senator Johnson of Madison seconded the nomination of Senator Cockrell.

Senator Jacobs nominated Hon. William Warner for United States Senator.

Senator Parcher seconded the nomination of Mr. Warner for United States Senator.

The roll was called with the following result :

FOR COCKRELL—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Moran, Proctor, Saltonstall, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Wood—24.

FOR WARNER—Senators Davisson, Gideon, Jacobs, McGinnis, Parcher, Seabourn, Sheldon and Webster—8.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senator Mansfield.

The President announced that Frances Marion Cockrell having received a majority of all the votes cast, was declared the choice of the Senate for United States Senator.

Senate bill No. 18, entitled "An act to amend section 5437 of chapter 98 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of dramshops,'" was taken up and recommitted to the Committee on Criminal Jurisprudence.

The following Senate bills were taken up and ordered engrossed and printed :

Senate bill No. 29, entitled "An act to amend section 1666 of chapter 24, article IX., Revised Statutes of 1879, entitled 'Miscellaneous provisions and matters of practice;'"

Also, Senate bill No. 50, entitled "An act to repeal section 5365 of article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Organization of counties;'"

Also, Senate bill No. 36, entitled "An act to amend article 9 of chapter 145 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Taxation of bridges, and telegraph and express franchises,' by adding thereto a new section, to be known as section 6904a."

Senate bill No. 46, entitled "An act to amend article 19 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' by adding thereto three new sections, to be known as sections 1956a, 1956b and 1956c," was taken up, and Senator Simrall offered the following amendment, which was read first and second times and agreed to :

Amend printed bill by striking out in sixth line "surrounded by a wall," after the word "enclosure" and before the word "higher."

The bill, as amended, was ordered engrossed and printed.

Senate bill No. 1, entitled "An act providing that any city having a population of more than one hundred thousand inhabitants may frame a charter for its own government, and regulating the same," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Jacobs, Moran and Ryors—3.

ABSENT WITH LEAVE—Senator Mansfield.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

NO—Senator Hazell.

ABSENT—Senators Jacobs, Moran and Ryors—3.

ABSENT WITH LEAVE—Senator Mansfield.

The title of the bill was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table, which was lost.

Senator Allen moved to reconsider the vote by which the bill passed, which was not agreed to.

Senate bill No. 5 entitled "An act to amend section 1167 of chapter 23 of Revised Statutes of Missouri, changing the time and terms of the circuit courts in the twenty-third judicial circuit of the State of Missouri," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—31.

ABSENT—Senators Moran and Ryors—2.

ABSENT WITH LEAVE—Senator Mansfield.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Kelly, Moran and Ryors—3.

ABSENT WITH LEAVE—Senator Mansfield.

Senator Wood moved to reconsider the vote by which Senate bill No. 5 passed.

Senator Ball moved to lay the motion on the table, which was agreed to.

Senator Johnson of Madison offered the following amendment to the title of the bill, which was agreed to :

Amendment No. 1. Amend Senate bill No. 5 by striking out the title of the bill and substituting in lieu thereof the following; "An act to repeal section 1167 of chapter 23 of the Revised Statutes of Missouri, 1879, entitled 'Of courts of record,' as amended by an act approved February 26, 1885, and to enact a new section in lieu thereof."

The title, as amended, was agreed to.

Senate bill No. 6, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, and amended by a new section approved March 31, 1885," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT—Senators Harmon, Kelly, Moran and Ryors—4.

ABSENT WITH LEAVE—Senator Mansfield.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which Senate bill No. 6 passed, which was not agreed to.

The title to Senate bill No. 6 was read and agreed to.

Senate bill No. 9 was called up and laid over one day, on motion of Senator Castleman.

Senate bill No. 12, entitled "An act to repeal an act entitled 'An act to repeal sections 3629 and 3630 of article VII., chapter 59 of the Revised Statutes of the State of Missouri for 1879, entitled 'Of issues, trials and their incidents,' 'Of practice in civil cases,' approved March 31, 1885, and enacting in lieu thereof two new sections," was read third time and passed by the following vote :

AYES—Senators Allen, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—25.

NOES—Senators Ball, Castleman, Ketchum, Mackey, Proctor and Smith—6.

ABSENT—Senators Moran and Ryors—2.

ABSENT WITH LEAVE—Senator Mansfield.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which Senate bill No. 12 was passed and lay that motion on the table, which was agreed to.

On motion of Senator Ball, the Senate adjourned till to-morrow morning at 10 o'clock.

ELEVENTH DAY—WEDNESDAY, January 19, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions, asking the submission of a prohibitory amendment to the Constitution, were presented and referred to the Committee on Constitutional Amendments:

By Senator Downing, from citizens of Scotland county; also, from citizens of Knox county.

By Senator Simrall, from citizens of Clinton county.

By Senator Claycomb, from citizens of Barton county.

By Senator Saltonstall, from citizens of Pettis county.

By Senator Hazell, from citizens of Moniteau county.

By Senator Ball, from citizens of Audrain county.

By Senator Sebree, from citizens of Ray and Carroll.

By Senator Johnson of Madison, from citizens of Wayne county.

By Senator Sparks, from citizens of Cass county.

By Senator Mansfield, from citizens of Phelps county.

By Senator Harmon, from citizens of Johnson county.

By Senator Parcher, from citizens of Nodaway county.

By Senator Moran, from citizens of Andrew county.

Senator Moran presented a remonstrance from citizens of Andrew county against the submission of a prohibitory amendment to the Constitution, which was referred to the Committee on Constitutional Amendments.

Senator Allen presented a petition from stockmen of Kansas City stock yards asking the Legislature to memorialize Congress to pass the Miller bill, which was referred to the Committee on Agriculture.

The following communication was received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed by the House the following resolution :

Resolved, That acting under section (15) fifteen of the laws of the United States in an act providing for the election of United States Senators, that the Senate of the Thirty-fourth General Assembly of the State of Missouri be invited to meet in joint session with this House, in this Hall to-morrow, Wednesday, January 19, 1887, at noon, for the purpose of electing a United States Senator to succeed Hon. Francis M. Cockrell, whose term expires March 4, 1887.

The resolution, previously offered by Senator Moran, relating to prohibition, was called up and read, and referred to the Committee on Constitutional Amendments.

Senator Saltonstall offered the following resolution, which was read:

Resolved, That the Secretary be instructed to inform the House of Representatives that the Senate will meet with them at 12 M. of this day to cast up the vote for United States Senator.

Senator Johnson of Montgomery offered the following substitute, which was read and adopted :

Resolved, That the Senate shall at the hour of 12 o'clock to-day meet the House in joint session for the purpose of reading the journal of each House, and ascertaining if any person has received a majority of all the votes in each House for U. S. Senator, and if any person has received a majority of all the votes of both Houses, to declare such

person duly elected United States Senator; and if no such person has received a majority of all the votes of both Houses, then to proceed as required and provided by act of Congress governing the election of U. S. Senators, and that the House be notified of the adoption of this resolution.

The Senate proceeded to the House of Representatives at 12 o'clock noon.

The President called the joint session to order, and directed the journal of yesterday of the two Houses to be read, from which it appeared that Francis M. Cockrell received in the Senate 24 votes, and William Warner received in the Senate 8 votes; absent 2. And the journal of the House of Representatives being read, it appeared that Francis M. Cockrell received in the House of Representatives 86 votes, and William Warner received in the House 50 votes, and Nicholas Ford received in the House of Representatives 2 votes.

Thereupon the President announced that Francis M. Cockrell, having received a majority of all the votes in each House, was declared duly elected United States Senator from the State of Missouri for a term of six years, beginning March 4, 1887, and ending March 4, 1893.

Mr. Daniel offered the following resolution, which was read and adopted:

Resolved, That the President appoint a committee of two from the Senate and three from the House to inform Hon. Francis M. Cockrell of his election.

The President appointed Senators Mackey and McGinnis, and Representatives Daniel, Richardson and Bridges.

On motion of Senator Wood, the joint session was dissolved.

The President called the Senate to order.

The consideration of the following resolution and substitute, offered on yesterday, was taken up:

Resolved, That the Committee on Justices of the Peace be authorized to appoint a clerk for said committee.

Substitute of Senator Harmon:

Resolved, That there be seven clerks elected by the Senate to do all the clerical work of the standing committees of the Senate.

The substitute was read and lost.

Senator McGinnis offered the following substitute, which was read:

Resolved, That each Senator, who has not a clerk already, is hereby empowered to employ a clerk, if in his judgment, the public service renders it necessary. All such clerks to be paid out of the contingent fund of the General Assembly.

The substitute was lost by the following vote:

AYES—Senators Allen, Davisson, Jacobs, Kelly, McGinnis, Parcher, Seabourn and Sebree—8.

NOES—Senators Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Moran, Proctor, Saltonstall, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—24.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senator Mansfield.

Senator Johnson of Montgomery moved to refer the resolution to the Committee on Justices of the Peace, with leave to report at pleasure, which was lost.

The vote recurring on the original resolution, it was lost by the following vote :

AYES—Senators Allen, Ball, Davisson, Downing, Gideon, Hazell, Jacobs, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Proctor, Sears, Sebree and Wood—16.

NOES—Senators Castleman, Claycomb, Harmon, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Mackey, Parcher, Saltonstall, Seabourn, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—17.

ABSENT—Senator Ryors.

Senator Johnson of Montgomery moved to reconsider the vote by which the resolution was lost, which was carried.

Senator Johnson of Montgomery moved to refer the resolution to the Committee on Justices of the Peace, which was carried.

The President laid before the Senate a reply from the Railroad Commissioners in answer to a request from the Senate asking their views as to needed railroad legislation, which was referred to the Committee on Joint Printing.

On motion of Senator Jacobs, the Senate adjourned until to-morrow at 10 o'clock A. M.

TWELFTH DAY—THURSDAY, January 20, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions asking the submission of a prohibitory amendment to the Constitution, were presented and referred to the Committee on Constitutional Amendments :

By Senator Proctor, from citizens of Boone county.

By Senator Hunter, from citizens of Dunklin county.

By Senator Jacobs, from citizens of Grundy county.

By Senator Ketchum, from citizens of St. Louis city.

By Senator Seabourn, from citizens of Lawrence county.

By Senator Kelly, from citizens of St. Louis.

By Senator Kerwin, from citizens of St. Louis.

By Senator Wood, from citizens of Marion county.

By Senator Sheldon, from citizens of Cedar county.

By Senator Davisson, from citizens of St. Louis.

The following resolution, presented by Senator Sebree on January 12, was called up and read :

Resolved by the Senate : 1. That the right of a free people to petition the legislative department of the government for redress of grievances, upon all questions vitally affecting the liberty, peace, happiness, good order and police regulations of the State is inalienable and of natural right belongs to all free and liberty-loving people, nor can such right of petition be with safety to the people surrendered or impaired.

2. That the right of petition for redress of grievances involves the right to be respectfully and considerately heard, and the right to be heard reposes the duty upon the legislature to grant in reason redress of such grievances, and a refusal thereof is incompatible with a republican form of government, and worthy only of the despotic governments of oriental countries.

Senator Johnson of Montgomery offered the following substitute, which was read :

Resolved, 1. That all political power is vested in and derived from the people ; that all government of right originates from the people, as founded upon their will only, and is instituted solely for the good of the whole.

2. That the people have the right peaceably to assemble for their common good and to apply to those invested with the powers of government for redress of grievances by petition and remonstrance.

3. That we hold these truths to be self-evident: that all men are created equal ; that they are endowed by their Creator with certain in-

alienable rights ; that among these are life, liberty and the pursuit of happiness ; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

4. That all constitutional government is intended to promote the general welfare of the people ; that all persons have a natural right to life, liberty and the enjoyment of the gains of their own industry ; that to give security to these things is the principal office of government, and that when government does not confer this security it fails of its chief design.

5. That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience.

6. That the doctrine of a separation of church and state is one of the fundamental doctrines of our government, state and nation. That the law-making power can make no law respecting an establishment of religion or prohibiting the exercise thereof or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

The resolution and substitute were referred to the Committee on Constitutional Amendments.

Senator Allen introduced Senate joint and concurrent resolution No. 5, memorializing Congress to pass the Miller bill, which was read first time and 75 copies ordered printed.

Senator Sears introduced Senate bill No. 145, entitled "An act to amend section 1 of an act entitled 'An act to amend section 6879 and to repeal section 6880 and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885, 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads, also enact a new section numbered 6886a ; also an emergency clause, approved March 17, 1885,'" which was read first time and 75 copies ordered printed.

Senator Proctor introduced Senate bill No. 146, entitled "An act repealing an act entitled 'An act providing for a State Veterinary Surgeon, defining his duties and fixing his compensation, Session Acts, 1885, and enacting a new act in lieu thereof, entitled 'An act providing for the appointment of a State Veterinary Surgeon, defining his duties and fixing his compensation,'" which was read first time and 75 copies ordered printed.

Senator Smith introduced Senate bill No. 147, entitled "An act to amend an act of the General Assembly entitled 'An act to repeal section 7023, article 1, chapter 150 of the Revised Statutes of Missouri,

entitled 'Of schools,' approved March 29, 1883," which was read first time and 75 copies ordered printed.

Senator Smith introduced Senate bill No. 148, entitled "An act to amend section 7027, article 1 of chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,'" which was read first time and 75 copies ordered printed.

Senator Harmon introduced Senate bill No. 149, entitled "An act to amend sections 820 and 821 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, 1879, relating to private corporations—railroad companies—in relation to the freight charges on railroads, and to prevent discrimination by railroads," which was read first time and 75 copies ordered printed, and Senator Harmon authorized to have the bill printed elsewhere than at the office of the Tribune.

Senator Harmon introduced Senate bill No. 150, entitled "An act to repeal section 834, and enact a new section 834 in lieu thereof; to amend sections 835 and 838, and to enact four new sections to be known as sections 834*a*, 847*a*, 847*b* and 847*c* of chapter 21, article 3, Revised Statutes of the State of Missouri, 1879, providing for the regulation of freight charges on railroads and the penalties for the violation thereof, and for the collection thereof," which was read first time and 75 copies ordered printed, and Senator Harmon authorized to have the bill printed elsewhere than at the Tribune office.

Senator Davisson introduced Senate bill No. 151, entitled "An act to amend section 6909 and 6910, article XI, chapter 145 of the Revised Statutes of 1879, relating to taxation of merchants and manufacturers, by inserting certain words therein, and by adding an additional clause to said section 6910," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 152, entitled "An act to amend chapter 98 of the Revised Statutes of Missouri, 1879, entitled 'Of dramshops,'" which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 153, entitled "An act to create a lien against railroad companies, and to provide for the enforcement of the same," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 154, entitled "An act to license railroad companies," which was read first time and 75 copies ordered printed.

Senator Sparks introduced Senate bill No. 155, entitled "An act to amend section 46 of an act entitled 'Roads, highways and bridges

under township organization,' " which was read first time and 75 copies ordered printed.

Senator Sheldon introduced Senate bill No. 156, entitled "An act to repeal section 2174, chapter 23 of the Revised Statutes of Missouri, entitled 'Of divorce, alimony and custody of children,' and to enact a new section in lieu thereof," which was read first time and 75 copies ordered printed.

Senator Moran introduced Senate bill No. 157, entitled "An act to amend section 1918, Revised Statutes of Missouri," which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 158, entitled "An act to promote the payment of taxes," which was read first time and 75 copies ordered printed.

Senator Saltonstall introduced Senate bill No. 159, entitled "An act to protect the public roads of the State of Missouri, by repealing section 5666, chapter 105 of the Revised Statutes," 1879, which was read first time and 75 copies ordered printed.

Senator Seabourn introduced Senate bill No. 160, entitled "An act to repeal section 6723 of article 2, chapter 145, Revised Statutes, 1879, and to enact a new section in lieu thereof with emergency clause, in relation to revenue," which was read first time and 75 copies ordered printed.

Senator Hazell introduced Senate bill No. 161, entitled "An act to provide for the selection of a depository for the county funds of each of the counties of this State," which was read first time and 75 copies ordered printed.

Senator Wood introduced Senate bill No. 162, entitled "An act to repeal section 5018, article 6, chapter 89, Revised Statutes of 1879, entitled 'Of cities, towns and villages,' and enact a new section in lieu thereof," which was read first time and 75 copies ordered printed.

Senator Wood introduced Senate bill No. 163, entitled "An act to repeal sections 5019, article 6, chapter 89 of the Revised Statutes of Missouri, 1879, entitled 'Of cities, towns and villages,' and to enact 17 new sections in lieu thereof, to be known and designated as sections 5019, 5019_a, 5019_b, 5019_c, 5019_d, 5019_e, 5019_f, 5019_g, 5019_h, 5019_i, 5019_j, 5019_k, 5019_l, 5019_m, 5019_n, 5019_o, 5019_p," which was read first time and 75 copies ordered printed.

Senator Simrall introduced Senate bill No. 164, entitled "An act to amend chapter 148 of the Revised Statutes of the State of Missouri, and add a new section thereto," which was read first time and 75 copies ordered printed.

Senator Simrall introduced Senate bill No. 165, entitled "An act to repeal section 2400 of chapter 32, Revised Statutes of 1879," which was read first time and 75 copies ordered printed.

Senator Simrall introduced Senate bill No. 166, entitled "An act to amend section 3514, article 5 of chapter 59 of the Revised Statutes of Missouri," which was read first time and 75 copies ordered printed.

Senator Downing introduced Senate bill No. 167, entitled "An act to amend section 5878, chapter 118, article 1 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of institutions,' by striking out certain words and inserting other words in lieu thereof," which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery introduced Senate bill No. 168, entitled "An act to place the streets and alleys in unincorporated towns and villages under the control of the county courts and road overseers," which was read first time and 75 copies ordered printed.

Senator Sheldon introduced Senate bill No. 169, entitled "An act to repeal an act entitled 'An act to amend section 2182 of chapter 28 of the Revised Statutes of Missouri, relating to divorce,' approved March 31, 1885," which was read first time and 75 copies ordered printed.

Senator Jacobs introduced Senate bill No. 170, entitled "An act to repeal sections 7081, 7083, 7084, 7085, 7086, article I., chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' also, to repeal an act entitled 'An act to amend section 7082, article 1, chapter 150, Revised Statutes of Missouri, entitled 'Of schools,' approved April 2, 1883, and to enact the following sections in lieu thereof, to be numbered 7081, 7082, 7083, 7084, 7085, 7086, relating to election, duties and compensation of a county superintendent of public schools," which was read first time and 75 copies ordered printed.

Senator Seabourn introduced Senate bill No. 171, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, by adding a new section thereto, to be known as section 12a," which was read first time and 75 copies ordered printed.

Senator Hunter introduced joint and concurrent resolution No. 6, authorizing the committee appointed by the Governor to settle with State Auditor and Treasurer, to cancel vouchers, which was read first time and 75 copies ordered printed.

Senator Proctor presented a report from the Curators of the State University, which was referred to the Joint Committee on Printing, with instruction to compare with printed matter said to be already before the House and Senate.

Senator Claycomb submitted the following report from the Committee on Labor, Mines and Manufactories, which was read:

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred Senate bill No. 49, entitled "An act to amend section (4) four of the act creating the Bureau of Labor Statistics and inspection of factories, mines and workshops, approved March 23, 1883," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend by striking out the title of the bill and insert in lieu thereof the following: "An act to amend section 4 of an act approved March 23, 1883, entitled 'An act to establish a Bureau of Labor Statistics and inspection of factories, mines and workshops throughout this State, and to provide for the appointment of an inspector for same, and to repeal article one of chapter 154 of the Revised Statutes of Missouri of 1879,' entitled 'Of statistics.'"

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend by striking out of section one the words and figures, as follows: Section (1) one. That section (4) four of the act creating the Bureau of Labor Statistics and the inspection of factories, mines and workshops, approved March 23, 1883, and insert in lieu thereof the following words and figures: Section 1. That section 4 of an act approved March 23, 1883, entitled "An act to establish a Bureau of Labor Statistics and inspection of factories, mines and workshops throughout this State, and to provide for the appointment of an inspector for same, and to repeal article one of chapter 154 of the Revised Statutes of Missouri of 1879, entitled 'Of statistics.'"

The amendment was read first and second times and agreed to.

Senator Claycomb moved to reconsider the vote by which Senate bill No. 46 was ordered engrossed and printed, which was carried.

Senator Claycomb offered the following amendment to Senate bill No. 46, which was read first and second times and agreed to:

Amendment No. 1. Amend by inserting in the first line of section 1, after the figure "1," and before the word "section," the following words: "That article 19 of chapter 24 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure,' be amended by adding thereto three new sections, to be known as sections 1956*a*, 1956*b* and 1956*c*, and to read as follows:

Senator Claycomb offered the following amendment to Senate bill No. 46, which was read first and second times and agreed to:

Amendment No. 2 to Senate bill No. 46. Amend by striking out of said bill the words and figures "sec. 2" and "sec. 3," where they occur at the beginning of the proposed new sections.

On motion of Senator Claycomb, Senate bill No. 46, as amended, was ordered engrossed and printed.

Senator Sebree submitted the following report from the Committee on Justices of the Peace, which was read:

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred Senate bill No. 44, entitled "An act to amend section 2952 of article 6 of chapter 44 of Revised Statutes of the State of Missouri," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment:

Amendment to Senate bill No. 44. That at the end of section 2952 the following words be added, to wit: *Provided*, that when a change of venue has once been granted in the cause to one party, the other party, if he desires to take a change of venue, shall make his application on or before the day on which the cause has been set for trial by the justice to whom it has been sent on a change of venue.

The amendment was read first and second times and agreed to.

Senator Sebree submitted the following report from the Committee on Justices of the Peace, which was read:

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred Senate bill No. 65, entitled "An act to amend section 2835, article 2, chapter 44 of the Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' " beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 52, entitled "An act to amend section 1044, article one, chapter 23, Revised Statutes of Missouri, entitled 'Of courts of record,' " beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 40, entitled "An act in relation to the taxation of business avocations by municipal corporations," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 61, entitled "An act to repeal an act entitled 'An act to amend section 1147 of article 4 of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885, and to enact a new section in lieu thereof," beg leave to report that

they have carefully examined the same and recommend that it do pass, with the amendment.

Amend by adding emergency clause :

Section 2. "That inasmuch as there is large expense attending the holding of courts, and as under the present law a March term of the Louisiana court of common pleas must be held, therefore an emergency exists within the meaning of the Constitution ; therefore, this act shall take effect and be in force from and after its passage."

The amendment was read first and second times and agreed to.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 59, entitled "An act providing for the appointment of a county counselor in counties now containing or that hereafter may contain seventy-five thousand inhabitants or more, prescribing their qualifications and duties, and providing for their compensation," beg leave to report that they have carefully examined the same and recommend that it do pass, with the accompanying amendments.

Amendment No. 1. Amend section one by striking out the word "shall," in the 4th line of printed bill, and inserting the words "may in their discretion," in lieu thereof.

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend section two by striking out the word "shall," in the 2d line of printed bill, and inserting the words "may in their discretion," in lieu thereof.

The amendment was read first and second times and agreed to.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 60, entitled "An act to amend chapter 59, article 7 of the Revised Statutes, of Missouri, 1879, entitled 'Of practice in civil cases,' by adding a new section thereto, to be known as section 3662a," beg leave to report that they have carefully examined the same and a majority recommend that it do pass with accompanying amendment.

Amendment to Senate bill No. 60: Amend original bill by striking out the words "any contract between the parties to the contrary notwithstanding," in the last two lines of said bill.

The amendment was read first and second times and agreed to.

Senator Allen submitted the following reports from the Committee on Corporations other than Railroads and Insurance Companies, which were read :

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 45, entitled "An act to establish a branch county clerk's office in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, and where county courts are now or may hereafter be held at more places than one, and at places other than the county seat," beg leave to report that they have duly considered the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance Companies, to whom was referred Senate bill No. 47, entitled "An act entitled an act to enable the council of any incorporated town or city in this State having a special charter and containing ten thousand inhabitants or less, to cause the owner, owners or occupiers of property or lots on any alley or street in said town or city to build and repair sidewalks adjacent to said property or lot, and in default of so doing on the part of said owner, owners or occupiers thereof, to enable such town or city council to build and repair any sidewalk, and make the costs and expense thereof a lien on the property or lot adjacent to said sidewalk so built or repaired, and to fix the compensation of the mayor of such town or city and the councilmen thereof, and to provide for the appointment of a constable and fix his salary, and such policemen as may be necessary, and to fix the compensation of such policemen, and of the councilmen of such town or city, and to provide for the appointment and compensation of a street and sidewalk overseer," beg leave to report that they have duly considered the same and recommend that it do pass with the accompanying amendments:

Amend printed bill by striking out the words "or occupiers," wherever the same occur in said bill.

Amend section 2, printed bill, by adding after the word "writing," in the 4th line, the words "if known, and if not known by publication in a newspaper published in the county for four weeks;" also, by striking the word "five," in line 13, and inserting in lieu thereof the word "fifteen."

The amendment was read first and second times and agreed to.

Amend by striking out sections 3 and 4, and by changing the number of sections 5, 6, 7 and 8 so as to read sections 3, 4, 5 and 6.

The amendment was read first and second times and agreed to.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance Companies, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 17, en-

titled "An act to amend sections 6569 and 6570 of chapter 139 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of plats,'" beg leave to report that they have duly considered the same and recommend that it do pass with the accompanying amendments :

Amend section 1, printed bill, by striking out between the word "ground," in 5th line, and the word "except," in sixth line, the words "within two miles of any city, town or village;" and by striking out in the 24th line the words "within two miles of any city, town or village."

The amendment was read first and second times and agreed to.

Amend section 12 of printed bill by striking out between the word "ground," in the 4th line, and the word "shall," in the 5th line, the words "within two miles of the corporate limits of a city, town or village."

The amendment was read first and second times and agreed to.

And by striking out between the word "ground," in the 18th line, and the word "shall," in the 19th line, the words, "within two miles of the corporate limits of a city, town or village."

The amendment was read first and second times and agreed to.

Amend by striking out the whole of section 3.

The amendment was read first and second times and agreed to.

Leave of absence granted Senator Ryors until to-morrow.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 56, entitled "An act to repeal an act to amend an act entitled 'An act to restrain domestic animals from running at large, approved March 27, 1883,' by adding a new section thereto to be known as section 12, and substitute a new act in lieu thereof," beg leave to report that they have carefully examined same and recommend that it do not pass.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence to whom was referred Senate bill No. 30, entitled "An act to amend section 1234, article 2, chapter 24, Revised Statutes of 1879, entitled 'Offenses against the lives and persons of individuals,'" beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendment.

Amend printed bill No. 30 by striking out the following words: "for a term of years," in the seventh line of section one, and also by

striking out the following words in the sixteenth line of section 1234, viz.: "for a term of years."

The amendment read first and second times and agreed to.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 37, entitled "An act to amend section 1888 of article 18 of chapter 24 of the Revised Statutes of Missouri, entitled 'Trials and incidental proceedings,'" beg to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred joint and concurrent resolution No. 3, providing for an investigation into certain reports in relation to one Fotheringham, and providing for a committee of the House and Senate, beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 39, entitled "An act to amend section 1963 of article 19 of chapter 24 of the Revised Statutes of Missouri, entitled 'Verdict and judgment and proceedings thereon,'" beg leave to report that they have carefully examined same and recommend that it do pass.

Senator Wood submitted the following report from the Committee on University, Public and Normal School Education, which was read :

MR. PRESIDENT: Your Committee on University, Normal and Public School Education, to whom was referred Senate bill No. 35, entitled "An act to repeal sections 7144, 7145 and 7146 of article 2, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 13, entitled "An act to amend section 1205 of the Revised Statutes of Missouri of 1879," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—32.

ABSENT—Senators Downing and Ryors—2.

The emergency clause passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson,

Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks Taggart, Webster and Wood—32.

ABSENT—Senators Downing and Ryors—2.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed and to lay the motion to reconsider on the table, which was carried.

On motion of Senator Mackey, the Senate adjourned until tomorrow morning at 10 o'clock.

THIRTEENTH DAY—FRIDAY, January 21, 1887.

Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Gideon, from citizens of Greene county.

By Senator Saltonstall, from citizens of Pettis county.

By Senator Allen, from citizens of Jackson county.

By Senator Sebree, from citizens of Carroll county.

By Senator Taggart, from citizens of Harrison county.

By Senator Johnson of Madison, from citizens of Ripley county.

By Senator Claycomb, from citizens of Vernon county.

By Senator Davisson, from citizens of St. Louis.

By Senator Hunter, from Citizens of Scott county.

By Senator Hazell, from citizens of Maries county.

Senator Sebree presented a petition from citizens of Caldwell county asking the enactment of a law giving the owners of jacks and stallions a lien upon the foal, which was referred to Committee on Agriculture.

Senator Claycomb presented a memorial from citizens of Carthage, Jasper county, asking legislation fixing freight rates on railroads, which was referred to Committee on Railroads and Internal Improvements.

The following communication was received from the House of Representatives, through Mr. Hornbuckle, Chief Clerk, which was read

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and adopted by the House the following resolution :

Resolved, That a committee of three be appointed to confer with a like committee from the Senate to draft joint rules in reference to printing public documents, and such other business as may require the joint action of the two Houses, and report their action as speedily as possible.

The Speaker announced the following committee : Messrs. Jewett, Jamison and Purdy.

The resolution from the House of Representatives was adopted.

The President appointed Senators Castleman, Smith and Sheldon on said committee.

Senator Allen introduced Senate bill No. 172, entitled "An act of limitations on actions of dower and the assignment of dower," which was read first time and 75 copies ordered printed.

Senator Allen introduced Senate bill No. 173, entitled "An act to amend section 2803, article 1, chapter 44 of the Revised Statutes of Missouri, so as to entitle cities of 100,000 inhabitants or more to two additional justices of the peace," which was read first time and 75 copies ordered printed.

Senator Parcher introduced Senate bill No. 174, entitled "An act to amend section 2174 of chapter 28 of the Revised Statutes of Missouri, relating to divorce, alimony and the custody of children," which was read first time and 75 copies ordered printed.

Senator Parcher introduced Senate bill No. 175, entitled "An act to regulate charitable and educational institutions in this State, and to improve their management and efficiency, and to provide for the appointment of a State board of commissioners of such public institutions," which was read first time and 75 copies ordered printed.

Senator Simrall introduced Senate bill No. 176, entitled "An act to amend chapter 103 of the Revised Statutes of Missouri, entitled 'Of

fees,' by adding thereto a new section to be known as section 5650," which was read first time and 75 copies ordered printed.

Senator Proctor introduced Senate bill No. 177, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations,'" which was read first time and 75 copies ordered printed.

Senator Moran introduced Senate bill No. 178, entitled "An act to authorize county courts to provide for the payment and to pay for bridges, court houses, jails and other public buildings erected or repaired, or for improvements thereon, in certain cases," which was read first time and 75 copies ordered printed.

Senator Mansfield introduced Senate bill No. 179, entitled "An act to repeal section 1186 of chapter 23, article 5 of Revised Statutes of Missouri, 1879, entitled 'Courts of record,' and relating to the fees of judges of probate, and to enact a new section in lieu thereof relating to the same subject," which was read first time and 75 copies ordered printed.

Senator Mansfield introduced Senate bill No. 180, entitled "An act to repeal section 1666 of chapter 24, article 9 of the Revised Statutes of 1879, in relation to conviction and punishment of minors under the age of 18 years, and to enact a new section in lieu thereof," which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 181, entitled "An act to amend section 3833 of the Revised Statutes of Missouri of 1879," which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 182, entitled "An act to amend section 171, Revised Statutes of Missouri, 1879," which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 183, entitled "An act to authorize sales of real estate situate within the corporate limits of cities having a population of over 100,000 inhabitants to be made at real estate exchanges located in such cities, where such sales are made under orders of court, or by executors, administrators, guardians or curators of minors or insane persons, by assignees for the benefit of creditors, by commissioners or sheriffs in partition, and by sheriff under writs under execution," which was read first time and 75 copies ordered printed.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 77, entitled "An act to amend section twelve of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend section one by inserting the words "and common pleas," between the words "circuit" and "court," in the 8th line of printed bill.

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend section one by striking out the words "such an additional number of said reports, including the back numbers thereof," in the 9th, 10th and 11th lines of printed bill, and insert in lieu thereof the words "such of said reports."

The amendment was read first and second times and agreed to.

Amendment No. 3. Amend section 12 by inserting the words "and common pleas," between the words "circuit" and "court," in the 24th line of printed bill.

The amendment was read first and second times and agreed to.

Amendment No. 4. Amend section 12 by striking out the words "such additional number of said reports, including the back numbers thereof," in the 25th and 26th lines of printed bill, and insert in lieu thereof the words "such of said reports."

The amendment was read first and second times and agreed to.

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 83, entitled "An act to repeal certain parts of an act entitled 'An act to amend section 1159 of article 4, chapter 23 of the Revised Statutes of Missouri, relating to courts of record,' approved January 31, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments:

Amendment No. 1. Amend printed bill by striking out all of the lines 1, 2, 3, 4 and 5 of section 1, and substitute in lieu thereof the following: Section 1. That an act entitled an act to amend section 1159 of article 4, chapter 23 of the Revised Statutes of Missouri, "Relating to courts of record," approved January 31, 1885, be and the same is hereby amended by striking out the words "third Mondays in April and October," where they occur in the 17th line of section one of said act, and insert in lieu thereof the words "first Mondays in February and August," so that said section, as amended, will read as follows:

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend printed bill by striking out all of section one after the word "act," in the 52d line thereof.

The amendment was read first and second times and agreed to.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 82, entitled "An act to amend section 2513, chapter 35 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of frauds and perjuries,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 79, entitled "An act to declare the true meaning and intent of article 9, section 1666, Revised Statutes of 1879, 'Miscellaneous provisions and matters of practice,' by adding a new section thereto, to be known as section 1666a," beg leave to report that they have carefully examined the same and a majority recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 73, entitled "An act to repeal section 6661 of the Revised Statutes of Missouri of 1879," beg leave to report that they have carefully examined the same and a majority recommend that it do pass with accompanying amendment:

Amend Senate bill No. 73, by adding a new section, known as section 2: Section 2. Owing to the inequalities of the assessment of property in the respective counties of this State, and that the next assessment of property will be made on the first day of June, 1887, there is an emergency created within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage.

The amendment was read first and second times and agreed to.

Senator Downing made the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 76, entitled "An act to amend section two of article one of chapter one of the Revised Statutes of Missouri of 1879, entitled 'Of administrations of the estates of deceased persons,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 8, entitled "An act to enforce compliance with section twenty-four (24) of article twelve

(12) of the Constitution of Missouri," beg leave to report that they have carefully examined the same and recommend that the substitute herewith submitted do pass.

The substitute was read first time and ordered printed for information.

The following Senate bills were taken up and ordered engrossed and printed:

Senate bill No. 17, entitled "An act to amend sections 6569 and 6570 of chapter 139 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of plats;'"

Also, Senate bill No. 30, entitled "An act to amend section 1234, article 2, chapter 24, Revised Statutes of 1879, entitled 'Offenses against the lives and persons of individuals;'"

Also, Senate bill No. 34, entitled "An act to amend section 1326 of the Revised Statutes of the State of Missouri of 1879;"

Also, Senate bill No. 35, entitled "An act to repeal sections 7144; 7145 and 7146 of article II., chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof;"

Also, Senate bill No. 37, entitled "An act to amend section 1888 of article 18 of chapter 24 of the Revised Statutes of Missouri, entitled 'Trials and incidental proceedings;'"

Also, Senate bill No. 39, entitled "An act to amend section 1963 of article 19 of chapter 24 of the Revised Statutes of Missouri, entitled 'Verdict and judgment and proceedings thereon;'"

Also, Senate bill No. 40, entitled "An act in relation to the taxation of business avocations by municipal corporations;"

Also, Senate bill No. 44, entitled "An act to amend section 2952 of article 6 of chapter 44 of Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' so as to limit the time for making applications for changes of venue in suits before justices to the return day of the summons in such suits;"

Also, Senate bill No. 45, entitled "An act to establish a branch county clerk's office in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, and where county courts are now or may hereafter be held at more places than one, and at places other than the county seat;"

Also, Senate bill No. 47, entitled "An act entitled 'An act to enable the council of any incorporated town or city in this State having a special charter and containing ten thousand inhabitants or less, to cause the owner, owners or occupiers of property or lots on any alley or street in said town or city to build and repair sidewalks adjacent to said property or lot, and in default of so doing on the part of said owner, own-

ers or occupiers thereof, to enable such town or city council to build and repair any sidewalk, and make the costs and expenses thereof a lien on the property or lot adjacent to said sidewalk so built or repaired, and to fix the compensation of the mayor of such town or city and the councilmen thereof, and to provide for the appointment of a constable and fix his salary, and such policeman as may be necessary, and to fix the compensation of such policeman and of the councilmen of such town or city, and to provide for the appointment and compensation of a street and sidewalk overseer ; ”

Also, Senate bill No. 49, entitled “An act to amend section (4) four of the act creating the Bureau of Labor Statistics and inspection of factories, mines and workshops, approved March 23, 1883 ; ”

Also, Senate bill No. 52, entitled “An act to amend section 1044, article 1, chapter 23; Revised Statutes of Missouri, entitled ‘Of courts of record ; ’ ”

Also, Senate bill No. 59, entitled “An act providing for the appointment of a county ccuncelor in counties now containing or that hereafter may contain seventy-five thousand inhabitants or more, prescribing their qualifications and duties, and providing for their compensation ; ”

Also, Senate bill No. 60, entitled “An act to amend chapter 59, article 7 of the Revised Statutes of Missouri, 1879, entitled ‘Of practice in civil cases,’ by adding a new section thereto, to be known as section 3662a ; ”

Also, Senate bill No. 61, entitled “An act to repeal an act entitled “An act to amend section 1147 of article IV. of the Revised Statutes of Missouri, in reference to judicial circuits,’ approved March 28, 1885, and to enact a new section in lieu thereof ; ”

Also, Senate bill No. 65, entitled “An act to amend section 2835, article 2, chapter 44 of the Revised Statutes of Missouri of 1879, entitled ‘Of justices courts ; ’ ”

Senate bill No. 56, entitled “An act to amend section 1044, article 1, chapter 23, Revised Statutes of Missouri, entitled ‘Of courts of record,’ ” was taken up and on motion of Senator Hunter indefinitely postponed.

Joint and concurrent resolution No. 3, entitled “Joint and concurrent resolution providing for an investigation into certain reports in relation to one Fotheringham, and providing for a committee of the House and Senate for that purpose.”

Motion to engross and print was lost by the following vote :

AYES—Senators Allen, Davisson, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn and Webster—16.

NOES—Senators Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Kerwin, Ketchum, Moran, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood—17.

SICK—Senator Smith.

Senator Smith granted leave of absence till to-morrow.

Senate bill No. 9, entitled "An act to repeal section 4385 of article 1, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,' and to enact in lieu thereof three new sections, to be known as sections 4385, 4385*a* and 4385*b*," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Ryors, Saltonstall, Sears, Sebree, Sparks, Taggart, Webster and Wood—25.

NOES—Senators Gideon, Hazell, Hunter, Johnson of Madison, Proctor, Seabourn, Sheldon and Simrall—8.

SICK—Senator Smith.

The emergency clause adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sparks, Taggart, Webster and Wood—25.

NOES—Senators Gideon, Hazell, Hunter, Johnson of Madison, Proctor, Ryors, Sheldon and Simrall—8.

SICK—Senator Smith.

The title was read and agreed to.

Senator McGinnis moved to reconsider the vote by which Senate bill No. 9 was passed, and to lay the motion on table, which last motion was agreed to.

Senator Simrall introduced Senate bill No. 184, entitled "An act to amend section 5148 of the Revised Statutes of 1879, being section 5148 of chapter 93, entitled 'Of coroners' and inquests.' "

On motion of Senator Moran, the Senate adjourned until 2 o'clock Monday.

FOURTEENTH DAY—MONDAY, January 24, 1887.

Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by Rev. Mr. Boone, Chaplain of the House.

Journal of Friday read and approved.

The following petitions asking for the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments :

By Senator Downing, from citizens of Clark, Scotland and Knox counties.

By Senator Sears, from citizens of Macon county.

By Senator Sparks, from citizens of Cass county.

By Senator Mackey, from citizens of Linn county.

By Senator Sebree, from citizens of Carroll county.

By Senator Mansfield, from citizens of Dent county.

By Senator Saltonstall, from citizens of Saline county.

By Senator Jacobs, from citizens of Livingston county.

By Senator Claycomb, from citizens of Jasper county.

By Senator Mansfield, from citizens of Laclede county against submission of a prohibition amendment to the Constitution.

A petition by Senator McGinnis, from citizens of St. Louis city, asking for the passage of Senate bill No. 11, to prohibit the employment of children in mines, mills and factories under the age of fourteen years, which was referred to Committee on Labor, Mines and Manufactories.

A petition by Senator Davisson, from citizens of St. Louis city, asking for the passage of Senate bill No. 11, which was referred to Committee on Labor, Mines and Manufactories.

A petition by Senator Claycomb, from citizens Jasper county, asking for the passage of Senate bill No. 11, which was referred to Committee on Labor, Mines and Manufactories.

Senator Sparks presented a petition from citizens of Cass county asking the Senate to memorialize Congress to pass the Miller bill, which was referred to Committee on Federal Relations.

Senator Seabourn presented a remonstrance from citizens of McDonald county against the passage of any law appropriating money for the members of the State militia, which was referred to Committee on Militia.

Senator Gideon introduced Senate bill No. 185, entitled "An act to ascertain the population of any county in this State, and to adjust the salaries of certain officers," which was read first time and 75 copies ordered printed.

Senator Sears introduced Senate bill No. 186, entitled "An act to amend section 5148 of chapter 93 of Revised Statutes of Missouri, entitled 'Of coroners and inquests,' by striking out certain words therefrom," which was read first time and 75 copies ordered printed.

Senator Sears introduced Senate bill No. 187, entitled "An act to amend section 5637 of chapter 103 of the Revised Statutes of 1879," which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery introduced Senate bill No. 188, entitled "An act to enforce the provisions of article 12 of the Constitution of the State of Missouri, relating to railroads," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 189, entitled "An act to amend chapter 150, Revised Statutes of Missouri, 1879, entitled 'Of schools,' by adding a new section thereto, to be known as section 7141a," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 190, entitled "An act authorizing the Governor to appoint commissioners to inquire into the relative merits and efficiency of the office of prosecuting attorney and circuit attorney, the relative costs and number of convictions under both systems, and the propriety and necessity of curtailing the number of judicial circuits in this State, and enlarging the same, and to provide for the compensation of said commissioners," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 191, entitled "An act to amend chapter 47, article 1 of Revised Statutes of 1879, entitled 'Mechanics' liens,' by adding a new section thereto, to be known as section 3195a," which was read first time and 75 copies ordered printed.

Senator Allen introduced Senate bill No. 192, entitled "An act in relation to limitations of equitable titles," which was read first time and 75 copies ordered printed.

Senator Allen introduced Senate bill No. 193, entitled "An act to repeal an act entitled 'An act to amend section 5627 of chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees,' approved March 21, 1883,' and to enact a new section in lieu thereof," which was read first time and 75 copies ordered printed.

Senator McGinnis introduced Senate bill No. 194, entitled "An act to authorize business, benevolent and miscellaneous associations to

carry on the business of life and accident insurance on the assessment plan," which was read first time and 75 copies ordered printed.

Senator Smith introduced Senate bill No. 195, entitled "An act to provide for the location and building of a penitentiary, to be known as Penitentiary No. 2, and to appropriate money therefor," which was read first time and 75 copies ordered printed.

Senator Webster introduced Senate bill No. 196, entitled "An act to prevent insurance companies doing business in this State from entering into combinations for the purpose of governing or controlling the rates charged for fire insurance on property in this State," which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 197, entitled "An act to amend article 2 of chapter 43 of the Revised Statutes of Missouri, entitled 'Of the limitation of actions,' by adding thereto a new section, to be known as No. 3253½, relating to the deduction of the time that set off, counter-claim, etc., is pending from the statutory period of limitation," which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 198, entitled "An act to amend chapter 64 of the Revised Statutes of Missouri, entitled 'Of set off,' by adding thereto a new section, to be known as No. 3878½, relating to the rights of parties filing set offs," which was read first time and 75 copies ordered printed.

Senator Castleman, from the Committee on Joint rules, submitted the following report: [See House Journal, pages 219, 220 and 221.]

On motion of Senator Allen, the vote by which substitute for Senate bill No. 2 was ordered engrossed and printed was reconsidered.

Senator Allen offered the following amendments to substitute for Senate bill No. 2, which were read first and second times and agreed to:

No. 1. Amend printed bill by striking out the whole of section 2, and by inserting in lieu thereof the following: Section 2. The county court shall designate a proper place whereon to erect any county buildings, but in case of location for a court house, if the judges of the county court are not unanimous upon the selection of a place for such location, each of such judges shall select a location for such court house, fully describing the same in the records of the county court. Whereupon the selection so made, shall be submitted to the qualified voters of the county at a special election to be held for that purpose. Such special election shall be ordered by the county court to take place within thirty days from the time such selections are made, by giving at least fifteen days' public notice of the time and place of holding such special election, and the purposes for which it is held, by publication in some newspaper published in the county; said places shall

be the usual voting precincts in the county. Said special election shall be conducted under and be governed by the laws affecting general elections, and the location receiving the highest number of votes shall be designated by the county court as the place whereon the court house shall be erected.

No. 2. Amend section 3, printed bill, by striking out the word "and," between the word "thereof," in the second line, and the word "if," in the third line, and by inserting in lieu thereof the words "or purchase the same or."

No. 3. Amend section 4, printed bill, by striking out all the words and sentences between the word "day," in the first line, and the words "the county," in the fifth line, and by inserting in lieu thereof the following: "Set for the hearing, the circuit court or the judge thereof, select and caused to be summoned, eighteen disinterested free-holders of the county, who shall be qualified as jurors, as in civil cases; from such list the county and land owners shall be entitled to three peremptory challenges on a side, the remaining twelve shall constitute the jury to assess the value of the land to be taken by."

Substitute, as amended, recommitted to Committee on Judiciary.

The vote by which Senate bill No. 60 was ordered to engrossment was reconsidered.

The following amendment to Senate bill No. 60 was read first and second times and agreed to :

Amend section 1, printed bill, by striking out all of said section after the figures "3662a," in fourth line, and insert in lieu thereof the following words, "to read as follows."

The bill, as amended, was ordered engrossed and printed.

Senator Proctor granted leave of absence until Wednesday.

Senator Johnson of Madison granted leave of absence until Wednesday.

Senator Johnson of Montgomery, from the Committee on Agriculture, Roads and Highways, submitted the following report, which was read:

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 14, entitled "An act authorizing county courts in counties now containing or that may hereafter contain one or more graded roads to macadamize the same, and providing the manner of doing such work," beg leave to report that they have carefully examined the same and recommend that it do pass, with the accompanying amendments, numbered 1 and 2:

The following amendments to Senate bill No. 14 were read first and second times and agreed to :

Amendment No. 1. Amend section 1, printed bill, by inserting between the words "Missouri" and "in," in the first line, the words "now containing seventy-five thousand inhabitants or more."

Amendment No. 2. Amend section 3 of printed bill by striking out the whole of said section.

Senator Johnson of Montgomery, from the Committee on Engrossed Bills, submitted the following report, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 46, entitled "An act to amend article 19 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' by adding thereto three new sections, to be known as sections 1956*a*, 1956*b* and 1956*c*."

Also, Senate bill No. 36, entitled "An act to amend article 9 of chapter 145 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Taxation of bridges and telegraph and express franchises,' by adding thereto a new section, to be known as section 6904*a*," beg leave to report that they have compared the same, and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The following Senate bills were taken up, read second time and referred to committees, as follows :

Senate bill No. 87, entitled "An act entitled an act to establish an appellate court, to be known as the Springfield Court of Appeals, the appointment and election of three judges, and their tenure of office, and providing for the appointment of officers and attendants of said courts, and their compensation," to Committee on Judiciary ;

Senate bill No. 88, entitled "An act to appropriate money for the purpose of erecting additions and making other necessary improvements to Lunatic Asylum No. 3, located at Nevada, Missouri," to Committee on Eleemosynary Institutions ;

Senate bill No. 89, entitled "An act to amend section 7095, article 1, chapter 150, Revised Statutes of Missouri of 1879, entitled 'Of schools,'" to Committee on Ways and Means ;

Senate bill No. 90, entitled "An act to provide for the refunding and payment of the State debt, and to repeal chapter 153 and sections 7551, 7552, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633, 7634 and 7635 of article 1 of chapter 164 of the Revised Statutes of Missouri," to Committee on Ways and Means ;

Senate bill No. 91, entitled "An act to amend section 4 of an act entitled 'An act to amend chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations,' by adding a new article thereto, entitled 'Trust companies,' approved March 20, 1885,'" to

Committee on Corporations other than Railroad and Insurance Companies ;

Senate bill No. 92, entitled "An act to amend section 2 of an act entitled 'An act to regulate sales of real estate under mortgages and deeds of trust and the manner of giving notice thereof,' approved March 27, 1885," to Committee on Judiciary ;

Senate bill No. 93, entitled "An act to guard more sacredly the money and property belonging to the various counties in this State, and to insure the most careful management of county affairs," to Committee on Ways and Means ;

Senate bill No. 94, entitled "An act to establish an academic department in connection with Lincoln Institute for the higher education of the negro race," to Committee on State University, Public and Normal School Education ;

Senate bill No. 95, entitled "An act appropriating money to properly equip the State Agricultural College and farm of Missouri," to Committee on Agriculture, Roads and Highways ;

Senate bill No. 96, entitled "An act to amend chapter 25 of the Revised Statutes of 1879, entitled 'Of damages and contributions in actions of tort,' by adding a new section thereto, to be known as section 2121a," to Committee on Judiciary ;

Senate bill No. 97, entitled "An act to amend chapter 21, article 2 of Revised Statutes, 1879, by adding a new section thereto and to be known as section 830a," to Committee on Judiciary ;

Senate bill No. 98, entitled "An act to amend section one of an act entitled 'An act to amend article 2, entitled 'Railroad companies,' of Revised Statutes of 1879, by adding two new sections thereto, approved March 31, 1885,' and to add a new section thereto to be known as section three," to the Committee on Judiciary ;

Senate bill No. 99, entitled "An act to amend an act amending section 809, article 2, chapter 21, of the Revised Statutes of Missouri, relating to corporations, approved March 31, 1885, by adding after the word 'railroad,' in the ninth line of said section, the following words: 'Also, fences on each side of said gates inside the right of way on both sides of said railroad, up to and as near said railroad track as practicable, in order that cattle guards may be constructed between where said fences abut up against the railroad track as aforesaid, at all necessary farm crossings, so that said fences and the cattle guards so erected between the abutments of the fences as aforesaid, shall make a lane across the railroad right of way from one gate to another,' so that said section, when amended, shall read as follows," to Committee on Railroads and Internal Improvements ;

Senate bill No. 100, entitled "An act to amend an act entitled 'An

act to amend section 5459 of chapter 98, Revised Statutes of 1879, entitled 'Of dramshops,' approved March 17, 1885," to Committee on Criminal Jurisprudence ;

Senate bill No. 101, entitled "An act to amend section 2804 of article 1 of chapter 44 of the Revised Statutes of the State of Missouri, entitled 'Of justices courts,' by adding a new clause thereto," to Committee on Justices of the Peace ;

Senate bill No. 102, entitled "An act to repeal section 1881 of chapter 24, article 27 of the Revised Statutes of Missouri of 1879, in relation to changes of venue in criminal cases, and enacting a new section in lieu thereof relating to same subject," to Committee on Criminal Jurisprudence ;

Senate bill No. 103, entitled "An act to repeal sections 3, 4 and 41 of an act entitled an act to revise and amend the general law in relation to roads and highways, and providing for establishing, opening, repairing and vacating the same, approved March 31, 1883, and enact three new sections in lieu thereof relating to the same subject, to be numbered 3, 4 and 41 respectively," to Committee on Agriculture, Roads and Highways ;

Senate bill No. 104, entitled "An act relating to the shipment of live stock, grain and other articles of trade," to Committee on Railroads and Internal Improvements ;

Senate bill No. 105, entitled "An act to regulate the transportation of freight by railways, to define the duties of the Railroad Commissioners in regard thereto, and to repeal sections 820 and 821 of article 2, chapter 21, and sections 833, 834, 835, 838, 839, 840, 842 and 844 of article 3, chapter 21 of the Revised Statutes of Missouri," to Committee on Railroads and Internal Improvements ;

Senate bill No. 106, entitled "An act to amend section 1962 of article XIX. of the Revised Statutes of the State of Missouri entitled 'Verdict and judgment and proceedings thereon,' " to Committee on Agriculture, Roads and Highways ;

Senate bill No. 107, entitled "An act entitled an act to amend article 2 of chapter 24, Revised Statutes of the State of Missouri, in relation to crimes and criminal procedure, by adding a new section thereto, to be known as section 1234a, and which shall read as follows," to Committee on Criminal Jurisprudence ;

Senate bill No. 108, entitled "An act to amend chapter 51, Revised Statutes, 1879, entitled 'Of married women,' by adding a new section thereto to be known as section 3296a," to Committee on Judiciary ;

Senate bill No. 109, entitled "An act to amend article 5 of Revised Statutes of Missouri, 1879, entitled 'Telegraph and telephone companies,' by adding two new sections thereto, to be known as section

891*a* and section 891*b*," to Committee on Corporations other than Railroads and Insurance Companies ;

Senate bill No. 110, entitled "An act to enable guardians and curators to invest the funds of their wards in real estate," to Committee on Judiciary ;

Senate bill No. 111, entitled "An act to authorize county courts to submit the question of granting dramshop license in their respective counties to a vote of the people," to Committee on Criminal Jurisprudence ;

Senate bill No. 112, entitled "An act to repeal an act entitled 'An act in relation to marriage and marriage licenses,' approved March 26, 1881, and to enact in lieu thereof the following," to Committee on Judiciary ;

Senate bill No. 113, entitled "An act to repeal section 6705, chapter 145, article 2 of the Revised Statutes of Missouri, 1879, and to repeal said section, as amended by the session acts of 1881, at page 180 of said session acts, approved March 24, 1881," to Committee on Ways and Means ;

Senate bill No. 114, entitled "An act to reduce the compensation of members of the General Assembly to the requirements of the Constitution, by amending section 6237 of chapter 124 of the Revised Statutes of 1879," to Committee of the Whole ;

Senate bill No. 115, entitled "An act defining the duties of circuit and prosecuting attorneys, and assistant circuit and prosecuting attorneys of courts of this State having jurisdiction of criminal matters in cities within this State which now have or may have hereafter populations of over 200,000 inhabitants; forbidding the employment of said officers in business other than that of the State by parties other than the State; forbidding their accepting, taking, receiving, contracting or bargaining for any fee, reward, gift or thing of value whatsoever, other than the salary provided by law for any services by them rendered during the terms of their offices; providing in certain cases for their suspension from office and for the appointment by the Governor of their successors; prescribing the duties, qualifications and compensations of their successors, and prescribing punishments for the violation of the provisions of this act," to Committee on Criminal Jurisprudence ;

Senate bill No. 116, entitled "An act to amend section (1) of an act entitled 'An act to amend section 1904 of article 18, chapter 24 of the Revised Statutes of Missouri of 1879, entitled 'Of crimes and criminal procedure,' approved March 23, 1881," to Committee on Criminal Jurisprudence ;

Senate bill No. 117, entitled "An act to repeal section 6663 of article 1 of chapter 145 of the Revised Statutes of Missouri of 1879, in

relation to taxation and equalization," to Committee on Ways and Means;

Senate bill No. 118, entitled "An act allowing jurors who have been found by the court to be qualified to sit as jurors in cases provided for in the first two subdivisions of section one thousand nine hundred of chapter one hundred and three of the Revised Statutes of Missouri of 1879, per diem and mileage," to Committee on Judiciary;

Senate bill No. 119, entitled "An act to require parents, guardians or other persons in the State of Missouri having control and charge of a child or children between the ages of eight and fourteen years, to send them to school," to Committee on State University, Public and Normal School Education.

Senate bill No. 120, entitled "An act in relation to marriage and marriage license," to Committee on Criminal Jurisprudence;

Senate bill No. 121, entitled "An act to amend section 3514 of article 5 of chapter 59 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of practice in civil cases,' " to Committee on Judiciary;

Senate bill No. 122, entitled "An act to repeal section 3514, article 5, chapter 59 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of practice in civil cases,' and to enact a new section in lieu thereof," to Committee on Judiciary;

Senate bill No. 123, entitled "An act to amend section 2229 of article 2, chapter 48 of the Revised Statutes of the State of Missouri, entitled 'Limitation of actions,' " to Committee on Judiciary;

Senate bill No. 124, entitled "An act to enforce compliance with the provisions of section 22 of article 12 of the State Constitution, and to repeal section No. 818 of article No. 2 of chapter No. 21 of the Revised Statutes of Missouri of A. D. 1879," to Committee on Constitutional Amendments.

Senate bill No. 125, entitled "An act to amend an act entitled 'An act to amend section 6879, and to repeal section 6880, and enact a new section in lieu thereof, and to amend section 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads,' also a new section numbered 6886a; also an emergency clause,' approved March 17, A. D. 1885, by adding a new section to be numbered 6886b," to the Committee on Railroads and Internal Improvements;

Senate bill No. 126, entitled "An act to establish a State reform school for juvenile offenders," to Committee on Criminal Jurisprudence;

Senate bill No. 127, entitled "An act to enlarge the rights and liabilities of married women, and to repeal section 3291 of chapter 51 of

the Revised Statutes of Missouri of A. D. 1879, relating to married women, by adding five sections in lieu thereof, to be designated sections 3291, 3291*a*, 3291*b*, 3291*c* and 3291*d*," to the Committee on Judiciary ;

Senate bill No. 128, entitled "An act to amend section four thousand and fourteen (4014) of chapter seventy-two (72) of the Revised Statutes of the State of Missouri of 1879, entitled 'Of witnesses,' " to Committee on Judiciary ;

Senate bill No. 129, entitled "An act to amend chapter 38, Revised Statutes of Missouri, 1879, entitled 'Of habeas corpus,' by adding 2 new sections thereto to be known as section 2688*a* and section 2688*b*," to the Committee on Judiciary ;

Senate bill No. 130, entitled "An act entitled 'General local option,' to prevent the evils of intemperance by local option in any county in this State, the city of St. Louis, and such other cities as may be operating under scheme and charter at the time of the general election in this State in the year 1888, and in any ward of any such city or cities, by submitting the question of prohibiting the sale of intoxicating liquors to qualified voters of such county or city, or ward thereof ; to provide penalties for its violation and for other purposes," to Committee on Criminal Jurisprudence ;

Senate bill No. 131, entitled "An act to amend section 4940, article 5, chapter 89, Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages,' " to Committee on Corporations other than Railroads and Insurance Companies ;

Senate bill No. 132, entitled "An act to pay to the county of Livingston school money improperly withheld from it for the year 1875," to the Committee on Appropriations ;

Senate bill No. 133, entitled "An act conferring certain powers upon cities whose population entitles them to be ranked as cities of the first and second classes, in relation to the inspection of live stock," to the Committee on Corporations other than Railroad and Insurance Companies ;

Senate bill No. 134, entitled "An act to amend article 2 of chapter 145 of the Revised Statutes of Missouri, concerning the assessment and collection of the revenue, by adding one new section to said article 2, to be known as section 6731*a*," to the Committee on Ways and Means ;

Senate bill No. 135, entitled "An act to amend section 2 of an act entitled 'An act to amend section 6772 of article 4, and section 6834 of article 6 of chapter 145 of the Revised Statutes of Missouri, relating to the assessment and collection of revenue, approved March 31, 1885,' " to the Committee on Ways and Means ;

Senate bill No. 136, entitled "An act entitled an act to establish the office of circuit attorney in the various judicial circuits of the State, and to provide for the election of such officers at the general election in 1888, and to prescribe their duties as such," to the Committee on Criminal Jurisprudence ;

Senate bill No. 137, entitled "An act to amend an act entitled 'An act in relation to prosecuting and circuit attorneys, by repealing sections 512, 513, 514, 515, 516, 517 and 518 of chapter 9, article 2, Revised Statutes of Missouri, and to enact new sections in lieu thereof, of the same numbers, to read as follows,' " to the Committee on Criminal Jurisprudence.

The following Senate bills were taken up and ordered engrossed and printed :

Senate bill No. 73, entitled "An act to repeal section six thousand six hundred and sixty-one (6661) of the Revised Statutes of Missouri of 1879 ;"

Also, Senate bill No. 76, entitled "An act to amend section 2 of article 1 of chapter 1 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of the administration of the estates of deceased persons ;'"

Also, Senate bill No. 77, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885 ;"

Also, Senate bill No. 79, entitled "An act entitled an act to declare the true meaning and intent of article 9, section 1666, Revised Statutes of 1879, entitled 'Miscellaneous provisions and matters of practice,' by adding a new section thereto, to be known as section 1666a ;"

Also, Senate bill No. 80, entitled "An act to amend chapter 24, article 21, section 1998 of Revised Statutes of 1879, entitled 'Appeals and writs of error ;'"

Also, Senate bill No. 83, entitled "An act to repeal certain parts of an act entitled 'An act to amend section 1159 of article 4, chapter 23 of the Revised Statutes of Missouri of 1879, relating to courts of record,' approved January 31, 1885."

Senator Sears moved that the Committee on Enrolled Bills be allowed to secure rooms for said committee, which was carried.

On motion of Senator Gideon, the Senate adjourned until 10 o'clock to-morrow.

FIFTEENTH DAY—TUESDAY, January 25, 1887.

Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions were presented, asking the submission of a prohibitory amendment to the Constitution, which were referred to the Committee on Constitutional Amendments :

By Senator Webster, from citizens of Jefferson county ; also, from citizens of Washington county ; also, from citizens of St. Louis county.

By Senator Kelly, from citizens of St. Louis.

By Senator Sparks, from citizens of Cass county.

By Senator Taggart, from citizens of Harrison county.

By Senator Mackey, from citizens of Linn county.

By Senator Mansfield, from citizens of Phelps county.

By Senator Kerwin, from citizens of St. Louis.

By Senator Sears, from citizens of Adair county.

By Senator Downing, from citizens of Knox county ; also, from citizens of Scotland county.

By Senator Sears, from citizens of Macon county.

By Senator Hunter, from citizens of Scott county ; also from citizens of Mississippi county ; also from citizens of New Madrid county.

By Senator Jacobs, from citizens of Putnam county.

By Senator Sebree, from citizens of Carroll county.

By Senator Kelly, from citizens of St. Louis.

By Senator Hazell, from citizens of Moniteau county.

By Senator Seabourn, from citizens of McDonald county.

By Senator Davisson, from citizens of St. Louis.

By Senator Ketchum, from citizens of St. Louis.

By Senator Moran, from citizens of Buchanan county.

By Senator Claycomb, from citizens of Vernon county.

By Senator Davisson, from citizens of St. Louis.

By Senator Sheldon, from citizens of Cedar county.

By Senator Allen, from citizens of Jackson county.

Senator Allen presented a petition from citizens of Jackson county asking legislation making education compulsory, which was referred to the Committee on University, Public and Normal School Education.

Senator Ketchum presented a petition from citizens of St. Louis,

asking legislation prohibiting the employment of children in mines, mills and manufactories, which was referred to the Committee on Labor, Mines and Mining.

Senator Hazell presented a petition from citizens of Moniteau county asking legislation providing for county superintendence of public schools and the regulation of teachers' salaries, which was referred to the Committee on University, Public and Normal School Education.

Senator Claycomb presented a petition from citizens of Jasper county asking the establishment of maximum freight rates for all articles of commerce, which was referred to the Committee on Railroads and Internal Improvements.

The following remonstrances against the submission of a prohibitory amendment to the Constitution were presented, and referred to the Committee on Constitutional Amendments.

By Senator Ryors, from citizens of Gasconade county.

By Senator Hunter, from citizens of Stoddard county.

Senators Johnson of Madison, and Simrall granted leave of absence.

Joint and concurrent resolution No. 4, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning the adoption of a general local option law, was called up and referred to the Committee on Constitutional Amendments.

Senator Johnson of Montgomery introduced Senate bill No. 199, entitled "An act to amend chapter 37 of the Revised Statutes of Missouri, 1879, entitled 'Of guardians and curators,' by adding a new section thereto, to be known as section 2591a," which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery introduced Senate bill No. 200, entitled "An act to amend section 929 of Article 8 of the Revised Statutes of Missouri, 1879, entitled "Manufacturing and business companies,"" which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery introduced Senate bill No. 201, entitled "An act to amend chapter 18, Revised Statutes, 1879, of Missouri, entitled 'Of constables,' by adding a new section thereto, to be known as section 650a," which was read first time and 75 copies ordered printed.

Senator Jacobs introduced Senate bill No. 202, entitled "An act to prohibit the sale of intoxicating liquors within three miles of Avalon college, situated in Livingston county, Missouri," which was read first time and 75 copies ordered printed.

Senator Sears introduced Senate bill No. 203, entitled "An act to

repeal section 1 of session acts, 1883, repealing section 1171, article 4, chapter 23, Revised Statutes of Missouri, concerning courts of record," which was read first time and 75 copies ordered printed.

Senator Sears introduced Senate bill No. 204, entitled "An act to repeal an act, entitled 'An act creating a Board of Health for the State of Missouri, defining its duties and powers and fixing the compensation of its officers,' approved March 29, 1883, and to enact new section in lieu thereof," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 205, entitled "An act to provide for a more speedy collection of judgments against municipal corporations," which was read first time and 75 copies ordered printed.

Senator Seabourn introduced Senate bill No. 206, entitled "An act to pay the county of McDonald school moneys improperly withheld from it for the year 1875," which was read first time and 75 copies ordered printed.

Senator Saltonstall introduced Senate bill No. 207, entitled "An act to repeal section 5614, chapter 103 of the Revised Statutes of Missouri, 1879, and to enact a new section in lieu thereof, concerning constables' fees," which was read first time and 75 copies ordered printed.

Senator Hazell introduced Senate bill No. 208, entitled "An act to provide for completing the record of the probate courts in counties where former judges and clerks thereof have kept minutes of the proceedings thereof, but have failed to enter such proceedings at large in the records of such courts," which was read first time and 75 copies ordered printed.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance Companies, which was read :

MR. PRESIDENT : Your Committee on Corporations other than Railroads and Insurance Companies, to whom was referred Senate bill No. 25, entitled "An act to amend chapter 21 of the Revised Statutes of Missouri, relating to telegraph and telephone companies, by adding a new section thereto, to be known and designated as section 891a, limiting the rate of charges by telephone companies under certain penalties," beg leave to report that they have duly considered the same and recommend that it do not pass.

Senator Allen moved the indefinite postponement of Senate bill No. 25, which was carried.

Senator Johnson of Montgomery submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT : Your Committee on Engrossed Bills, to whom referred Senate bill No. 50, entitled "An act to repeal section 5365 of ar-

title 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Organization of counties;'"

Also, Senate bill No. 29, entitled "An act to amend section 1666 of chapter 24, article 9, Revised Statutes of 1879, entitled 'Miscellaneous provisions and matters of practice,'" beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Hunter submitted the following reports from the Committee on Ways and Means, which were read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 113, entitled "An act to repeal section 6705, chapter 145, article 2 of the Revised Statutes of Missouri, 1879, and to repeal said section, as amended, by the session acts of 1881, at page 180 of said session acts, approved March 24, 1881," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 89, entitled "An act to amend section 7095, article 1, chapter 150, Revised Statutes of Missouri of 1879, entitled 'Of schools,'" beg leave to report that they have carefully examined the same, and a majority recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 84, entitled "An act to furnish the county of Butler the Supreme Court and the courts of appeals reports from Vol. 16; also the Revised Statutes of 1879 and session laws of 1881, 1883, 1885," beg leave to report that they have carefully examined the same, and a majority recommend that it do pass with the accompanying amendment :

Amend by adding after the words "of 1885," in the 6th line of printed bill, "out of any books on hand in the charge of said Secretary of State."

The amendment was read first and second times and agreed to.

Senator Hunter submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 134, entitled "An act to amend article 2 of chapter 145 of the Revised Statutes of Missouri, concerning the assessment and collection of the revenue, by adding one new section to said article 2, to be known as section 6731a," beg leave to report that they have carefully examined the same, and a majority recommend that it do pass with the accompanying amendment :

Amend by striking out the word "two," in the third line of the printed bill, and insert in lieu thereof the word "three."

The amendment was read first and second times and agreed to.

Senate bill No. 36 was called up and laid over.

Senate bill No. 46, entitled "An act to amend article 19 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' by adding thereto three new sections, to be known as sections 1956*a*, 1956*b* and 1956*c*," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Salstontall, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—26.

NOES—Senators Davisson, Gideon, Hazell, Seabourn and Sears—5.

ABSENT—Senator Moran.

ABSENT WITH LEAVE—Senators Johnson of Madison and Simrall—2.

Senator Claycomb moved to reconsider the vote by which Senate bill No. 46 passed, and lay that motion on the table, which was carried.

The title of the bill was read and agreed to.

Senate bill No. 14 was taken up, and amendment offered to the amendment. Bill and amendment laid over until to-morrow.

Senator Castleman submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate bill No. 10, entitled "An act to exempt certain corporations from the operation of the general insurance laws of the State of Missouri," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment :

Amend bill by striking out the following clause in lines 7, 8 and 9 of printed bill, "or of guaranteeing the fidelity of, and the faithful performance of their duty by persons holding positions of public or private trust."

The amendment was read first and second times and agreed to.

On motion of Senator Downing, the Senate adjourned until to-morrow morning at 10 o'clock.

SIXTEENTH DAY—WEDNESDAY, January 26, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Mackey, from citizens of Linn county.

By Senator Taggart, from citizens of DeKalb county.

By Senator Sears, from citizens of Macon county; also, from citizens of Adair county.

By Senator Parcher, from citizens of Atchison county; also, from citizens of Nodaway county.

By Senator Sparks, from citizens of Henry county.

By Senator Seabourn, from citizens of Newton county.

By Senator Downing, from citizens of Knox county.

By Senator Saltonstall, from citizens of Pettis county.

By Senator Davisson, from citizens of St. Louis.

By Senator Sheldon, from citizens of Dade county.

By Senator Sebree, from citizens of Caldwell county.

By Senator Claycomb, from citizens of Barton county.

Senator Allen presented a petition from citizens of Kansas City againsts the employment of children in mines and manufactories, which was referred to Committee on Labor, Mines and Mining.

Senator Parcher presented a petition from citizens of Nodaway county asking legislation against the pooling of earnings by railroads; also, from citizens of Atchison county on the same subject, which were referred to the Committee on Railroads and Internal Improvements.

Senator Hazell presented a petition from citizens of Newton county against the passage of the militia bill, which was referred to the Committee on Militia.

Senator Sears presented a petition from citizens of Macon county asking the passage of the militia bill, which was referred to the Committee on Militia.

Senator Claycomb introduced Senate bill No. 209, entitled "An act to prohibit railroad companies, corporations or individuals operating or managing any railroad in this State, from consolidating the stock, property or franchises of such company, corporations or individuals, or from leasing, purchasing or in any other manner acquiring an interest in the works or franchises of, or in any way whatever to any degree, exercise any control over any railroad company, corporation or individual owning, operating or having under his or their control or management a parallel or competing line in this State, and to prescribe penalties therefor, and the means of enforcing the provisions of this act, and to repeal all acts or parts of acts in conflict or inconsistent herewith," which was read first time and 75 copies ordered printed.

Senator Sheldon introduced Senate bill No. 210, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri, 1879, entitled 'Of fees,' approved March 18, 1885," which was read first time and 75 copies ordered printed.

Senator Gideon introduced Senate bill No. 211, entitled "An act to amend an act entitled 'An act to amend section 3 of an act to amend sections 1127, 1135 and 1165, Revised Statutes of 1879, entitled 'Circuit courts, and attaching the county of Taney to the 21st judicial circuit,' approved March 22, 1883," which was read first time and 75 copies ordered printed.

Senator Gideon introduced Senate bill No. 212, entitled "An act to amend section 5622, chapter 103 of the Revised Statutes, 1879, entitled 'Of fees,'" which was read first time and 75 copies ordered printed.

Senator Simrall introduced Senate bill No. 213, entitled "An act to amend chapter 158 of the Revised Statutes of Missouri, 1879, entitled 'County surveyors,' by adding a new section thereto, to be known as section 7406a," which was read first time and 75 copies ordered printed.

Senator McGinnis offered the following resolution, which was read and adopted :

Resolved, That the chairmen of the standing committees be and they are hereby requested to meet and arrange the times of the meeting of their various committees, so as to conflict as little as possible with each other.

Senator Sebree offered joint and concurrent resolution No. 7, requiring the appointment of a joint committee to take under consideration all railroad bills, which was read first time and 75 copies ordered printed.

Senator Castleman submitted the following report from the Committee on Joint Printing, which was read and adopted :

MR. PRESIDENT: Your Committee on Joint Printing, to whom was referred report of Railroad Commissioners in response to a resolution of the Senate, adopted on the 13th day of January, 1887, respectfully report that they have examined the same and recommend that 275 copies thereof be printed for information, 75 whereof shall be for the use of the Senate and 200 for the use of the House.

Senator Hunter submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 90, entitled "An act to provide for the refunding and payment of the State debt, and to repeal chapter 153 and sections 7551, 7552, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633, 7634 and 7635 of article 1 of chapter 164 of the Revised Statutes of Missouri," beg leave to report that they have carefully examined the same, and a majority of your committee recommend that it do pass.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 87, entitled "An act to establish an appellate court to be known as the Springfield Court of Appeals, the appointment and election of their judges and their tenure of office, and providing for the appointment of officers and attendants of said court and their compensation," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments.

Amendment No. 1. Amend by striking out the words "Benton" and "St. Clair," in line seven, section one, printed bill, and by adding after the word "Oregon" in the last line of section one, the words "Marries, Crawford, Reynolds, Carter, Ripley, Butler, Dunklin and Wayne."

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend section two of printed bill by striking out the following words: "the term of one year, beginning the first Monday in January, 1883," where they occur between the word "for," in the second line, and the word "end," in the third line, and insert in lieu of the words stricken out the following: "a term ending on the first Monday in January, 1889."

The amendment was read first and second times and agreed to.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 118, entitled "An act allowing jurors who have been found by the court to be qualified to sit as jurors in cases provi-

ded for in the first two subdivisions of section one thousand nine hundred of chapter one hundred and three of the Revised Statutes of Missouri of 1879, per diem and mileage," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 15, entitled "An act to amend sections 668, 674, 693 and 700, Revised Statutes of 1879," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Allen, the consideration of Senate bill No. 15 was indefinitely postponed.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 97, entitled "An act to amend chapter 21, article 2 of Revised Statutes of 1879, by adding a new section thereto, and to be known as section 830a," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 129, entitled "An act to amend chapter 38, Revised Statutes of Missouri, 1879, entitled 'Of habeas corpus,' by adding two new sections thereto, to be known as section 2688a and section 2688b," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 98, entitled "An act to amend section one of an act entitled 'An act to amend article 2, entitled 'Railroad companies,' of Revised Statutes of 1879, by adding two new sections thereto, approved March 31, 1885, and to add a new section thereto, to be known as section three," beg leave to report that they have carefully examined the same and a majority recommend that it do pass.

Senator Wood submitted the following report from the Committee on University, Public and Normal School Education, which was read:

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 119, entitled, "An act to require parents, guardians or other persons in the State of Missouri having control and charge of a child or children between the ages of eight and fourteen years, to send them to school," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Wood, the further consideration of Senate bill No. 119 was indefinitely postponed.

Senator Wood submitted the following report from the Committee on University, Public and Normal School Education, which was read :

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 16, entitled "An act to amend article 2 of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, to be designated as section 7154a," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Allen, the further consideration of Senate bill No. 16 was indefinitely postponed.

Senator Wood submitted the following report from the Committee on University, Public and Normal School Education, which was read :

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 94, entitled "An act to establish an academic department in connection with Lincoln Institute for the higher education of the negro race," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment:

Amend Senate bill No. 94 by striking out the last three words of section three, and inserting in lieu thereof the word "paid."

The amendment was read first and second times and agreed to.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 61, entitled "An act to repeal an act entitled 'An act to amend section 1147 of article 4 of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885, and to enact a new section in lieu thereof;"

Also, Senate bill No. 40, entitled "An act in relation to the taxation of business avocations by municipal corporations;"

Also, Senate bill No. 52, entitled "An act to amend section 1044, article 1, chapter 23, Revised Statutes of Missouri, entitled 'Of courts of record;'"

Also, Senate bill No. 49, entitled "An act to amend section 4 of an act approved March 23, 1883, entitled 'An act to establish a Bureau of Labor Statistics and inspection of factories, mines and workshops throughout this State, and to provide for the appointment of an inspector for same, and to repeal article one of chapter 154 of the Revised Statutes of Missouri of 1879, entitled 'Of statistics;'"

Also, Senate bill No. 30, entitled "An act to amend section 1234, article 2, chapter 24, Revised Statutes of 1879, entitled 'Offenses against the lives and persons of individuals;'"

Also, Senate bill, No. 44, entitled "An act to amend section 2952 of article 6 of chapter 44 of Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' so as to limit the time for making applications for changes of venue in suits before justices to the return day of the summons in such suits;"

Also, Senate bill No. 17, entitled "An act to amend sections 6569 and 6570 of chapter 139 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of plats;'"

Also, Senate bill No. 65, entitled "An act to amend section 2835, article 2, chapter 44 of the Revised Statutes of Missouri of 1879, entitled 'Of justices courts;'"

Also, Senate bill No. 34, entitled "An act to amend section 1326 of the Revised Statutes of the State of Missouri of 1879;"

Also, Senate bill No. 45, entitled "An act to establish a branch county clerk's office in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, and where county courts are now or may hereafter be held at more places than one, and at places other than the county seat;"

Also, Senate bill No. 39, entitled "An act to amend section 1963 of article 19 of chapter 24 of the Revised Statutes of Missouri, entitled 'Verdict and judgment and proceedings thereon,' beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 4, entitled "An act to repeal an act to provide for the convenient delivery of railroad freight in the city of St. Louis," recommend that said bill be referred to the Judiciary Committee.

On motion, Senate bill No. 4 was referred to the Committee on Judiciary.

Senate bill No. 29, entitled "An act to amend section 1666 of chapter 24, article 9, Revised Statutes of 1879, entitled 'Miscellaneous provisions and matters of practice,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Saltonstall, Sea-

bourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—26.

NOSE—Senators Castleman, Jacobs, Proctor, Ryors and Sparks—5.

ABSENT—Senators Moran and Webster—2.

ABSENT WITH LEAVE—Senator Johnson of Madison.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed.

Senator McGinnis moved to lay that motion on the table, which was carried.

Senate bill No. 36, entitled "An act to amend article 9 of chapter 145 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Taxation of bridges and telegraph and express franchises,' by adding thereto a new section, to be known as section 6904a," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—32.

ABSENT—Senator Webster.

ABSENT WITH LEAVE—Senator Johnson of Madison.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed.

Senator Simrall moved to lay that motion on the table, which was carried.

Senate bill No. 50, entitled "An act to repeal section 5365 of article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Organization of counties,'" was taken up read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—32.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senator Johnson of Madison.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed and lay that motion on the table, which was carried.

The following bills were ordered engrossed and printed:

Senate bill No. 10, entitled "An act to exempt certain corporations

from the operation of the general insurance laws of the State of Missouri; ”

Also, Senate bill No. 89, entitled “An act to amend section 7095, article I., chapter 150, Revised Statutes of Missouri of 1879, entitled ‘Of schools;’ ”

Also, Senate bill No. 84, entitled “An act to furnish the county of Butler the Supreme Court and the courts of appeals reports from volume 16; also the Revised Statutes of 1879, and session laws of 1881, 1883 and 1885.”

Senate bill No. 14 was taken up, and the following amendment to the amendment was read first and second times and agreed to:

Amendment to amendment No. 1, to Senate bill No. 14: Amend by inserting between the word “containing,” in the 4th line, and the word “seventy,” in the 4th line, the following words: “or that may hereafter contain.”

The bill, as amended, was ordered engrossed and printed.

Senate bill No. 134 was called up, and Senator Gideon offered the following amendment:

Amend printed bill by striking out the word “three,” and insert “five.”

The amendment was read first and second times and agreed to, and a motion to engross and print was lost.

Senator McGinnis obtained unanimous leave to introduce Senate bill No. 214, entitled “An act to authorize street railroad companies to change the motive power on their roads,” which was read first time and 75 copies ordered printed.

Senator Castleman introduced, by unanimous consent, Senate bill No. 215, entitled “An act to provide for service of process in proceedings to contest corporation elections,” which was read first time and 75 copies ordered printed.

On motion of Senator Johnson of Montgomery, the Senate adjourned until to-morrow morning at 10 o'clock.

SEVENTEENTH DAY—THURSDAY, January 27, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Claycomb, from citizens of Vernon county; also, one from citizens of Jasper county; also, from citizens of Barton county.

By Senator Seabourn, from citizens of Newton county; also, from citizens of Lawrence county.

By Senator Kelly, from citizens of St. Louis.

By Senator Sheldon, from citizens of Hickory county; also from citizens of Dade county.

By Senator Downing, from citizens of Knox county.

By Senator Mackey, from citizens of Linn county.

By Senator Sparks, from citizens of Henry county.

By Senator Sears, from citizens of Schuyler county.

By Senator Saltonstall, from citizens of Saline county.

By Senator Sebree, from citizens of Carroll county.

By Senator Allen, from citizens of Jackson county.

By Senator Taggart, from citizens of Harrison county.

By Senator Hunter, from citizens of Scott, Stoddard and Mississippi counties.

By Senator Ball, from citizens of Pike county.

By Senator Harmon, from citizens of Johnson county.

The following remonstrances were presented against the submission of a prohibitory amendment to the Constitution, which were referred to the Committee on Constitutional Amendments:

By Senator Mansfield, from citizens of Laclede county.

By Senator Hunter, from citizens of Stoddard county.

Senator Parcher presented a petition from citizens of Northwest Missouri asking legislation prohibiting the pooling of earnings by railroads in this State, which was referred to the Committee on Railroads and Internal Improvements.

Senator Claycomb presented a remonstrance from citizens of Jasper county against the passage of the militia bill, which was referred to the Committee on Militia.

The following remonstrances against the employment of children in mines and manufactories, were presented and referred to the Committee on Labor, Mines and Manufactories:

By Senator Smith, from citizens of St. Francois county.

By Senator Davisson, from citizens of St. Louis.

The resolution offered on yesterday by Senator Smith, asking information in regard to the Agricultural Farm and its past management, and reintroduced this morning, was called up and laid over informally.

Senator Mackey introduced Senate bill No. 216, entitled "An act to increase the duties of the Board of Railroad Commissioners, changing the name of said board, providing for the organization of public warehouses, and to regulate the warehousing and inspection of grain in public warehouses in the State of Missouri," which was read first time and 75 copies ordered printed.

Senator Saltonstall introduced Senate bill No. 217, entitled "An act to repeal section 2953, article 6, chapter 44 of the Revised Statutes of Missouri for the year 1879, as amended by an act entitled 'An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' approved March 24, 1885, and to enact a new section in lieu thereof, to be known as section 2953," which was read first time and 75 copies ordered printed.

Senator Allen introduced Senate bill No. 218, entitled "An act to provide for the selection and acquisition of land whereon to erect county buildings, and to prescribe the qualification for and the duration of the office of superintendent of such buildings," which was read first time, rules suspended, and bill ordered not printed.

Senator Harmon introduced Senate bill No. 219, entitled "An act to amend section 6986, Revised Statutes of Missouri of 1879," which was read first time and 75 copies ordered printed.

Senator Sparks introduced Senate bill No. 220, entitled "An act to repeal section 7162 of article III. chapter 150, Revised Statutes of 1879, entitled 'Of schools,' and to insert a new section in lieu thereof, to be numbered 7162," which was read first time and 75 copies ordered printed.

Senator Sears introduced Senate bill No. 221, entitled "An act to amend section 1077, article 2, chapter 23 of the Revised Statutes of 1879, relating to the Supreme Court," which was read first time and 75 copies ordered printed.

Senator Wood introduced Senate bill No. 222, entitled "An act to regulate the course of study in the public schools," which was read first time and 75 copies ordered printed.

Senator Moran introduced Senate bill No. 223, entitled "An act relating to cities of the second class," which was read first time and 75 copies ordered printed.

Senator Moran introduced Senate bill No. 224, entitled "An act relating to cities of the second class," which was read first time and 75 copies ordered printed.

Senator Simrall introduced Senate bill No. 225, entitled "An act to amend an act entitled 'An to repeal section 807, chapter 21, article 2 of the Revised Statutes of Missouri, entitled 'Of railroads,' and to enact a new section in lieu thereof, so as to define what an easy grade shall be under such act, and provide what distance it shall be," which was read first time and 75 copies ordered printed.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT : Your Committee on Judiciary, to whom was referred Senate bill No. 96, entitled "An act to amend chapter 25 of the Revised Statutes of 1879, entitled 'Of damages and contributions in actions of tort,' by adding a new section thereto, to be known as section 2121a," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment :

Amendment to Senate bill No. 96. Amend section 1 by inserting the words "or manufacturing," between the words "railroad" and "company," in the first line of printed bill.

The amendment was read.

Senator Sebree offered the following amendment to the amendment, which was read :

Amend by inserting after the word "railroad," in the first line, the words " manufacturing corporation or."

Senator Downing offered the following substitute for the amendment, as amended, which was read first and second times :

Every railroad, manufacturing company or corporation organized or doing business in this State, or other person or persons handling or using dangerous machinery, shall be liable for all damages done to any employe of such company, corporation or person in consequence of the negligence of any of its or his agents, servants or employes, to any person sustaining damages.

The substitute was adopted by the following vote :

AYES—Senators Allen, Castleman, Davisson, Downing, Jacobs,

Kelly, Kerwin, McGinnis, Mackey, Mansfield, Moran, Proctor, Saltonstall, Seabourn, Sheldon, Smith, Taggart, Webster and Wood—19.

NOES—Senators Ball, Claycomb, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Ketchum, Parcher, Sears, Seabee, Simrall and Sparks—13.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senator Johnson of Madison.

The substitute for the amendment was adopted as an amendment to Senate bill No. 96.

The following resolution, offered by Senator Smith on yesterday, was taken up and read :

WHEREAS, There was donated by the general government by an act of Congress, passed July 2, 1862, three hundred and thirty thousand acres of land lying within this State, to be located and sold for not less than one dollar and twenty-five cents per acre, and that all the moneys derived therefrom should be invested in stock of the United States or the State, or some other safe stocks, and to constitute a perpetual fund, the capital of which should remain forever undiminished ; and the interest thereof to be inviolably appropriated to the endowment, support and maintenance of at least one college where the leading object should be to teach such branches of learning as are related to agriculture and mechanic arts ;

WHEREAS, By an act of the General Assembly of the State of Missouri, approved February 24, 1870, there was established as a distinct department of the State University, the Agricultural and Mechanical School and the School of Mines and Metallurgy ; and by the same act a commissioner was provided for to be appointed by the Board of Curators of the State University, whose duty it should be to take charge of all agricultural lands and to sell or lease them for the price and upon the terms as fixed by such act ; and that the interest arising on the same for which any part or all of the said lands should be sold or leased, should be divided between the Agricultural College and the School of Mines and Metallurgy, three-fourths thereof going to the Agricultural College and one fourth to the School of Mines and Metallurgy, and in such manner is said interest yet divided ;

WHEREAS, The Auditor's report of 1883 and 1884, on page 237, shows a sale of so much of such agricultural college lands as to aggregate the sum of two hundred and eighty-seven thousand dollars ; but fails to give any account, or history of the residuary unsold lands belonging yet to the agricultural grant, which should be something over one hundred thousand acres. It is therefore inferred that no record is kept of the sale and disposition of these lands in any of the public offices of the State ; and it is further inferred that there has

been large sales made of these lands, and possibly the whole of them have been sold, thereby swelling the agricultural and mechanical fund to a sum of over four hundred thousand dollars.

WHEREAS, further, It is believed, that by a tortuous and deceptive character of legislation, that the whole management of these agricultural lands, and the capital fund arising therefrom, has been selfish, and in direct violation of the spirit of the act of Congress, donating them to the State. Indisputably the grant was made to establish a college where the leading object should be to teach such branches of learning as are related to agriculture and mechanic arts, including military tactics, and was never intended to be a mere appendage to the highest institution of learning in the State for the convenient purpose of furnishing aid and succor to its pretended sponser. It is further believed that the agricultural and mechanical department of the State University is and has been, without results, and will continue to be so as long as under the present system of relationship and management; and,

WHEREAS, The condition of the existing capital fund, and the remaining unsold lands, belonging to such fund, is so unsettled and unknown and further, that the object of the donation or grant has been so flagrantly perverted as to call for a thorough and complete investigation; and,

WHEREAS further, From general reports and printed catalogues, some person or persons have changed, or sought to change, the name of the university from the "State University," as provided by the Constitution of the State, to that of the "Agricultural College and University of the State;" therefore, be it

Resolved, That a committee of five be appointed by the President to make a diligent inquiry into the history of the legislation relative to these lands, and the establishment of the agricultural and mechanical college; the number of acres sold and the price per acre; the number of acres leased, and the number of acres yet unsold; the investment of the proceeds arising from the sale and leasing thereof; the kinds of bonds and stocks purchased; the management of the agricultural and mechanical department of the university; the number of students, of professors and their salaries, and everything connected with the history, control and expenditures of such department; and further, said committee shall carefully inquire of the board of curators of said university, who sought to make the change of name above mentioned, by what authority it was sought, and for what purpose. Further, said committee shall have power and authority to send for persons as witnesses, for papers and documents, and to administer oaths and do all things necessary to a full and thorough investigation hereof; to employ a sten-

ographer to take all the evidence, oral and documentary, considered important by the committee, and the same report to the Senate at the earliest day possible, by resolution, bill or otherwise, and are further authorized to have said report printed at once for the use of the Senate.

Senator McGinnis offered the following amendment to the resolution, which was adopted :

Amend by striking out all of the preamble except so much as refers to the change of the name of the State University.

On motion of Senator Harmon, the Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 81, entitled "An act to regulate appeals to the circuit court from township boards and courts inferior to the circuit court in counties having fifty thousand inhabitants or less," beg leave to report that they have carefully examined the same and recommend that the accompanying substitute do pass.

The substitute was read first and second times and adopted.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 22, entitled "An act to repeal an act entitled 'An act in relation to the taxation of theatrical and minstrel performances by counties, villages and cities of the third and fourth classes, and in cities under special charters, and having less than five thousand inhabitants,' approved March 31, 1885," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Downing moved that Senate bill No. 22, be indefinitely postponed, which was lost.

Senator Allen submitted the following reports from the Committee on Corporations other than Railroad and Insurance companies, which were read :

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 91, entitled "An act to amend section 4 of an act entitled 'An act to amend chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations,' by adding a new article thereto, entitled 'Trust companies,' approved March 20, 1885," beg leave to report that they have duly considered the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 133, entitled "An act conferring certain powers upon cities whose population entitles them to be ranked as cities of the first and second classes, in relation to the inspection of live stock," beg leave to report that they have duly considered the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 131, entitled "An act to amend section 4940, article 5, chapter 89, Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages,'" beg leave to report that they have duly considered the same and recommend that it do pass.

Senator Hunter submitted the following reports from the Committee on Ways and Means, which were read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 74, entitled "An act to amend section 3833, chapter 62 of the Revised Statutes of Missouri, entitled 'Of recorders of deeds,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 135, entitled "An act to amend section 2 of an act entitled 'An act to amend section 6772 of article 4, and section 6834 of article 6 of chapter 145 of the Revised Statutes of Missouri, relating to the assessment and collection of revenue,' approved March 31, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and internal Improvements, to whom was referred Senate bill No. 104, entitled "An act relating to the shipment of live stock, grain and other articles of trade, and repealing all acts inconsistent therewith," beg leave to report that they have carefully considered the same and recommend that with the amendments herewith submitted it do pass :

Amendment No. 1. By striking out the words "shall be deemed guilty of a misdemeanor, and upon conviction thereof," between the words "shall," in third line, and "for," in fourth line of section 4, and inserting in lieu thereof "forfeit and pay."

The amendment was read first and second times and agreed to.

Amendment No. 2. Also, by striking out the words "shall be fined," in the fifth line of the same section, and inserting in lieu thereof "any sum."

The amendment was read first and second times and agreed to.

Amendment No. 3. Amend by adding the following section :
Section 5. In addition to the penalties herein provided for any violation of the provisions of this act, the aggrieved party may recover of any such corporation or company three times the amount of loss or damage he may sustain by reason thereof.

The amendment was read first and second times and agreed to.

Amendment No. 4. Change the number of section five to section six.

The amendment was read first and second times and agreed to.

Senator Ball submitted the following report from the Committee on Engrossed bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed bills, to whom was referred Senate bill No. 47, entitled "An act entitled an act to enable the council of any incorporated town or city in this State having a special charter and containing ten thousand inhabitants or less, to cause the owner or owners of property or lots on any alley or street in said town or city to build and repair sidewalks adjacent to said property or lot, and in default of so doing on the part of said owner or owners thereof, to enable such town or city council to build and repair any sidewalk, and make the costs and expense thereof a lien on the property or lot adjacent to said sidewalk so built or repaired, and to fix the compensation of the mayor of such town or city and the councilmen thereof, and to provide for the appointment of a constable and fix his salary, and such policemen as may be necessary, and to fix the compensation of such policemen, and of the councilmen of such town or city, and to provide for the appointment and compensation of a street and sidewalk overseer ;"

Also, Senate bill No. 37, entitled "An act to amend section 1888 of article 18 of chapter 24 of the Revised Statutes of Missouri, entitled 'Trials and incidental proceedings ;'"

Also, Senate bill No. 35, entitled "An act to repeal sections 7144, 7145 and 7146 of article II., chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Wood submitted the following report from the Committee on State University, Public and Normal School Education, which was read :

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 69, entitled "An act to establish a uniform system of text books to be issued in the common schools of Missouri, and to repeal sections 7087,

7088 and 7089 of the Revised Statutes of Missouri of 1879, beg leave to report that they have carefully examined the same and a majority of the committee recommend that it be referred to the Committee of the Whole."

On motion of Senator, Wood Senate bill No. 69 was referred to Committee of the Whole.

The President appointed the following committee to investigate the management of the Agricultural and Mechanical College, as provided for by resolution offered by Senator Smith: Senators Smith, Wood, Proctor, Claycomb and Jacobs.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 120, entitled "An act in relation to marriage and marriage license," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments.

Amend Senate bill No. 120, as follows: Strike out section No. 7, and add three new sections to said bill, to be known as sections 7, 8 and 9, which said sections are in words and figures as follows, to wit:

Section 7. Any probate judge issuing a marriage license under this act, is hereby prohibited from performing the marriage ceremony between the parties to whom such license is issued, and any probate judge who violates the provisions of this section shall be guilty of a misdemeanor and be fined in a sum of not less than five hundred dollars.

Section 8. All marriage records are hereby transferred to the office of the probate judge.

Section 9. All acts and parts of acts inconsistent with this act are hereby repealed.

The amendments were read first and second times and agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 85, entitled "An act to prohibit the sale or giving away of intoxicating liquor to minors, and to prohibit the purchasing or procuring for such minors any such intoxicating liquor, and to prescribe a punishment therefor," beg leave to report that they have carefully examined the same and recommend that it do pass with the following amendments:

Amend printed bill by inserting between the words "every" and

"person," in the first line, the following, viz: "Dramshop keeper, druggist or any other person whosoever," and by striking out the last two lines of printed bill, and in lieu thereof inserting the following, viz: "Of a misdemeanor, and on conviction shall be punished by imprisonment in the county jail not more than one year and by a fine of not less than fifty dollars nor more than five hundred dollars."

The amendment was read first and second times.

Senator Parcher offered the following amendment to the amendment, which was read first and second times, and not agreed to:

Amend by inserting "knowingly," between "shall" and "directly," in first line.

On motion of Senator Downing, the bill and amendment was re-committed to the Committee on Criminal Jurisprudence.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 33, entitled "An act to amend section 1367 of the Revised Statutes of the State of Missouri of 1879," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 80, entitled "An act to amend chapter 24, article 21, section 1993, Revised Statutes of 1879, entitled 'Appeals and writs of error,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Sebree granted leave of absence until Monday morning.

Senator Proctor submitted the following report from the Committee on Appropriations, which was read:

MR. PRESIDENT: Your Committee on Appropriations, to whom was referred Senate bill No. 132, entitled "An act to pay to the county of Livingston school moneys improperly withheld from it for the year 1875," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment:

Amend printed bill by striking out the words "three thousand one hundred dollars and fifty-five cents," where they appear in lines three and four, and insert in lieu thereof the words "two thousand nine hundred and twenty-six dollars and five cents."

The amendment was read first and second times and agreed to.

Senator Simrall was granted permission to withdraw the report on Senate bill No. 42.

The following Senate bills were taken up, read second time and referred to committees, as follows :

Senate bill No. 138, entitled "An act to amend section fifteen hundred and fifty of article eight of chapter twenty-four of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure,'" to Committee on Criminal Jurisprudence ;

Senate bill No. 139, entitled "An act to provide for the drainage of lead and zinc mines, and to regulate the liability of the owners of mineral bearing lands and the lessees thereof who are benefited by drainage," to Committee on Labor, Mines and Manufactories ;

Senate bill No. 140, entitled "An act to provide for the preventing of the evils of intemperance by local option in any county in this State and in cities of three thousand inhabitants or more, by submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of such county or city, to provide penalties for its violation, and for other purposes," to Committee on Criminal Jurisprudence ;

Senate bill No. 141, entitled "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees,'" to Committee on Judiciary ;

Senate bill No. 142, entitled "An act to amend an act entitled 'An act to authorize any city containing more than twenty thousand and less than two hundred and fifty thousand inhabitants, existing by virtue of special or local laws, to extend its limits, and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained,'" to Committee on Corporations other than Railroad and Insurance Companies ;

Senate No. 143, entitled "An act to authorize cities of over fifty thousand inhabitants to compel the placing of electric, telephone and telegraph wires under ground," to Committee on Corporations other than Railroad and Insurance Companies ;

Senate bill No. 144, entitled "An act entitled an act to repeal an act to incorporate the town of Dallas, in Bollinger county, Missouri," to Committee on Corporations other than Railroad and Insurance Companies ;

Senate bill No. 145, entitled "An act to amend section 1 of an act entitled 'An act to amend section 6879 and to repeal section 6880 and enact a new section in lieu thereof,' and to amend sections 6881, 6882, 6885, 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads ;' also enact a new section numbered 6886a ; also an emergency clause, approved March 17, 1885," to Committee on Ways and Means ;

Senate bill No. 146, entitled "An act repealing an act entitled 'An

act providing for a State Veterinary Surgeon, defining his duties and fixing his compensation,' session acts of 1885, and enacting a new act in lieu thereof, entitled 'An act providing for the appointment of a State Veterinary Surgeon, defining his duties and fixing his compensation,''' to Committee on Agriculture, Roads and Highways ;

Senate bill No. 147, entitled "An act to amend an act of the General Assembly entitled 'An act to repeal section 7023, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' approved March 29, 1883," to Committee on State University, Public and Normal School Education ;

Senate bill No. 148, entitled "An act to amend section 7027 of article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,'" to Committee on State University, Public and Normal School Education ;

Senate bill No. 149, entitled "An act to amend sections 820 and 821 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, 1879, relating to private corporations—railroad companies—in relation to the freight charges on railroads, and to prevent discrimination by railroads," to Committee on Railroads and Internal Improvements ;

Senate bill No. 150, entitled "An act to repeal section 834, and enact a new section 834 in lieu thereof ; to amend sections 835 and 838, and to enact four new sections, to be known as sections 834*a*, 847*a*, 847*b* and 847*c* of chapter 21, article 3 of the Revised Statutes of the State of Missouri, 1879, providing for the regulation of freight charges on railroads and the penalties for the violation thereof, and for the collection thereof," to Committee on Railroads and Internal Improvements ;

Senate bill No. 151, entitled "An act to amend sections 6909 and 6910, article XI., chapter 145 of the Revised Statutes of 1879, relating to taxation of merchants and manufacturers, by inserting certain words therein, and by adding an additional clause to said section 6910," to Committee on Ways and Means ;

Senate bill No. 152, entitled "An act entitled an act to amend chapter 98 of the Revised Statutes of Missouri, 1879, entitled 'Of dram-shops,' by adding two new sections thereto, to be known as section 5468*a* and section 5468*b*," to Committee on Criminal Jurisprudence ;

Senate bill No. 153, entitled "An act entitled an act to create a lien on railroad companies, and to provide for the enforcement of the same," to Committee on Railroads and Internal Improvements ;

Senate bill No. 154, entitled "An act entitled an act to license railroad companies," to Committee on Railroads and Internal Im-
ments ;

Senate bill No. 155, entitled "An act to amend section forty-six

(46) of an act entitled 'Roads, highways and bridges under township organization,' approved March 29, 1883," to Committee on Township Organization, Representative Apportionment and County Boundaries ;

Senate bill No. 156, entitled "An act to repeal section 2174 of chapter 23 of the Revised Statutes of Missouri, entitled 'Of divorce, alimony and custody of children,'" to Committee on Judiciary ;

Senate bill No. 157, entitled "An act to amend section (1918) nineteen hundred and eighteen of article (18) eighteen of chapter (24) twenty-four of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure,' by inserting certain words therein," to Committee on Criminal Jurisprudence.

Senator Moran offered the following resolution, which was read and adopted :

Resolved, That the pay of the night guard of the Senate Chamber and of the assistant doorkeeper be increased to three dollars and fifty cents per day.

Senate bill No. 17, entitled "An act to amend sections 6569 and 6570 of chapter 139 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of Plats,'" was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

NO—Senator Harmon.

ABSENT—Senators Mackey and Ryors—2.

ABSENT WITH LEAVE—Senators Johnson of Madison and Sebree—2.

The title of the bill was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 30 was called up and laid over informally.

Senate bill No. 34, entitled "An act to amend section 1326 of the Revised Statutes of the State of Missouri of 1879," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Davisson, Gideon, Hazell, Hunter, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Proctor, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—21.

NOES—Senators Ball, Castleman, Claycomb, Downing, Harmon, Jacobs, Johnson of Montgomery, McGinnis, Moran and Saltonstall—10.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Johnson of Madison and Sebree—2.
The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and lay that motion on the table. The later motion prevailed.

Senator Mansfield moved to reconsider the vote by which the resolution increasing the pay of assistant doorkeeper and night watch was passed. The motion to reconsider prevailed.

The resolution was laid over until to-morrow.

Senate bill No. 39, entitled "An act to amend section 1963 of article 19 of chapter 24 of the Revised Statutes of Missouri, entitled 'Verdict and judgment and proceedings thereon,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—31.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Johnson of Madison and Sebree—2.
The title was read and agreed to.

Senate bill No. 40, entitled "An act in relation to the taxation of business avocations by municipal corporations," was laid over informally.

Senate bill No. 44, entitled "An act to amend section 2952 of article 6 of chapter 44 of the Revised Statutes of Missouri of 1879, entitled 'Of justices' courts, so as to limit the time for making applications for changes of venue in suits before justices to the return day of the summons in such suits," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Castleman, Downing, Harmon, Proctor, Sears, Sheldon, Simrall, Taggart and Webster—10.

NOES—Senators Ball, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Saltonstall, Seabourn, Smith, Sparks and Wood—21.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Johnson of Madison and Sebree—2.

Senate bill No. 45, entitled "An act to establish a branch county clerk's office in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, and where county courts are now or may hereafter be held at more places than one, and at places

other than the county seat," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

NOES—Senators Harmon, McGinnis and Parcher—3.

ABSENT—Senators Moran and Ryors—2.

ABSENT WITH LEAVE—Senators Johnson of Madison and Seabee—2.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed and lay that motion on the table. The latter motion prevailed.

Senate bill No. 49, entitled "An act to amend section 4 of an act approved March 23, 1883, entitled 'An act to establish a Bureau of Labor Statistics and inspection of factories, mines and workshops throughout the State, and to provide for the appointment of an inspector for same, and to repeal article one of chapter 154 of the Revised Statutes of Missouri of 1879, entitled 'Of statistics,' " was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Moran and Ryors—2.

ABSENT WITH LEAVE—Senators Johnson of Madison and Seabee—2.

The title was read and agreed to.

Senator Castleman moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 52 was laid over informally.

Senate bill No. 61, entitled "An act to repeal an act entitled 'An act to amend section 1147 of article IV. of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885, and to enact a new section in lieu thereof," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—28.

ABSENT—Senator Moran, Parcher, Ryors and Webster—4.

ABSENT ON LEAVE—Senators Johnson of Madison and Sebree—2.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Moran and Ryors—2.

ABSENT ON LEAVE—Senators Johnson of Madison and Sebree—2.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 65, entitled "An act to amend section 2835, article 2, chapter 44 of the Revised Statutes of Missouri of 1879, entitled 'Of justices courts,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

NO—Senator Castleman.

ABSENT—Senators Mansfield, Moran and Ryors—3.

ABSENT ON LEAVE—Senators Johnson of Madison and Sebree—2.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and that that motion be laid on the table. The latter motion prevailed.

The following bills were ordered engrossed and printed:

Senate bill No. 87, entitled "An act entitled an act to establish an appellate court, to be known as the Springfield Court of Appeals, the appointment and election of three judges, and their tenure of office, and providing for the appointment of officers and attendants of said court, and their compensation;"

Also, Senate bill No. 94, entitled "An act to establish an academic department in connection with Lincoln Institute for the higher education of the negro race;"

Also, Senate bill No. 118, entitled "An act allowing jurors who have been found by the court to be qualified to sit as jurors in cases provided for in the first two subdivisions of section one thousand nine hundred of chapter one hundred and three of the Revised Statutes of Missouri of 1879, per diem and mileage."

Senator Moran obtained leave to withdraw resolution referring to pay of assistant doorkeeper and night watch.

On motion of Senator Davisson, the Senate adjourned until to-morrow morning at 10 o'clock.

EIGHTEENTH DAY—FRIDAY, January 28, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Parcher, from citizens of Northwest Missouri.

By Senator Ketchum, from citizens of St. Louis.

By Senator Taggart, from citizens of DeKalb county.

By Senator Sears, from citizens of Schuyler county.

By Senator Saltonstall, from citizens of Saline county.

By Senator Downing, from citizens of Scotland county; also, from citizens of Knox county.

By Senator Kelly, from citizens of St. Louis.

By Senator Sears, from citizens of Adair county.

By Senator Claycomb, from citizens of Jasper county.

By Senator Sparks, from citizens of Bates county.

By Senator Hunter, from citizens of Stoddard county.

By Senator Mackey, from citizens of Linn county.

By Senator Allen, from citizens of Jackson county.

By Senator Mansfield, from citizens of Crawford county.

By Senator Sheldon, from citizens of Dade county.

By Senator Seabourn, from citizens of McDonald county.

The following remonstrances against the submission of a pro-

hibitory amendment to the Constitution, were presented and referred to the Committee on Constitutional Amendments:

By Senator Mansfield, from citizens of Wright county; also, from citizens of Laclede county.

The following petitions against the employment of children in mines and manufactories were presented and referred to Committee on Labor, Mines and Manufactories:

By Senator Webster, from citizens of Jefferson county.

By Senator Ketchum, from citizens of St. Louis.

Senator Smith offered the following resolution, which was read and adopted:

Be it resolved, That the House of Representatives be invited to concur in the resolution heretofore adopted by this body authorizing the appointment of a committee of five to inquire into the origin, management, control and condition of the Agricultural College, located at Columbia, Missouri, and a department of the State University; and also to inquire into the history of the Congressional grant of college lands, made to this, with other states in 1862, and the sale of these lands, the investment of the proceeds arising therefrom, and all stocks, moneys or other property pertaining thereto, and that the House be requested to appoint a like committee from the House to act in conjunction with the Senate committee appointed heretofore.

And resolved further, That a copy of this, and the resolution by this body adopted, be at once transmitted to the House of Representatives.

Senator Hazell introduced Senate bill No. 226, entitled "An act to amend section 1857, article 17 of chapter 24 of the Revised Statutes of Missouri, entitled 'Proceedings before trial,'" which was read first time and 75 copies ordered printed.

Senator Ketchum introduced Senate bill No. 227, entitled "An act to amend an act entitled 'An act to exempt certain property used exclusively for agricultural and horticultural societies from taxation,'" which was read first time and 75 copies ordered printed.

Senator Simrall introduced Senate bill No. 228, entitled "An act to amend section 3376 of chapter 56 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of partition,' by adding to said section three new sections," which was read first time and 75 copies ordered printed.

Senate bill No. 90 was called up.

Senator Ball offered the following amendment to Senate bill No. 90, which was read first and second times and agreed to:

Amend section 4 of the printed bill in the sixth line thereof by striking out the word "more" and insert the word "less."

Senator Hazell offered the following amendments :

Amend section nine after the words "New York," in the twelfth line, by inserting the word "twenty."

The amendment was read first and second times and not agreed to.

Amend same section after the word "after," in the fourteenth line, by striking out the word "ten" and inserting the word "five."

The amendment was read first and second times.

On motion of Senator Castleman the consideration of Senate bill No. 90 was made a special order for Tuesday, February 8, at 11 o'clock.

Senate bill No. 218, entitled "An act to provide for the selection and acquisition of land whereon to erect county buildings," was read second time and referred to Committee on Judiciary.

Senate bill No. 35 was called up and laid over informally.

Senate bill No. 47 was taken up and laid over informally.

Senator Johnson of Montgomery was granted leave of absence till Monday.

Senate bill No. 37, entitled "An act to amend section 1888 of article 18 of chapter 24 of the Revised Statutes of Missouri, entitled 'Trials and incidental proceedings,' " was read third time and failed to pass by the following vote :

AYES—Senators Castleman, Hazell, Hunter, Jacobs, Kerwin, McGinnis, Mackey, Seabourn, Simrall, Smith, Sparks, Webster and Wood—13.

NOES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Harmon, Kelly, Ketchum, Mansfield, Moran, Parcher, Ryors, Saltonstall, Sears, Sheldon and Taggart—17.

ABSENT—Senator Proctor.

ABSENT WITH LEAVE—Senators Johnson of Madison, Johnson of Montgomery and Seabee—3.

Senator Moran moved to reconsider the vote by which the bill failed to pass and to lay that motion on the table. The latter motion was lost.

Senator Allen submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 218, entitled "An act to provide for the selection and acquisition of land whereon to erect county buildings, and to prescribe the qualifications for and the duration of the office of superintendent of such buildings," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Allen moved that the rules be suspended, and Senate bill No. 218 be engrossed and printed, which was agreed to.

Senator Moran moved that Senate bills Nos. 223 and 224 be printed at private expense. The motion was agreed to.

The following Senate bills were taken up, read second time and referred to committees as follows:

Senate bill No. 158, entitled "An act to promote the payment of taxes," to Committee on Judiciary;

Also, Senate bill No. 159, entitled "An act to protect the public roads in the State of Missouri, by repealing section 5666, chapter 105 of the Revised Statutes, of 1879," to Committee on Agriculture, Roads and Highways.

Also, Senate bill No. 160, entitled "An act to repeal section 6723 of article 2, of chapter 145 of the Revised Statutes of Missouri of 1879, and to enact a new section in lieu thereof, with an emergency clause," to the Committee on Ways and Means;

Also, Senate bill No. 161, entitled "An act to provide for the selection of a depository for the county funds of each of the counties of this State," to Committee on Ways and Means;

Also, Senate bill No. 162, entitled "An act to repeal section 5018, article 6, chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact four new sections in lieu thereof, to be known and designated sections 5018, 5018*a*, 5018*b* and 5018*c*," to Committee on Corporations other than Railroads and Insurance;

Also, Senate bill No. 163, entitled "An act to repeal section 5019, article 6, chapter 89 of the Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact seventeen new sections in lieu thereof, to be known and designated as sections 5019, 5019*a*, 5019*b*, 5019*c*, 5019*d*, 5019*e*, 5019*f*, 5019*g*, 5019*h*, 5019*i*, 5019*j*, 5019*k*, 5019*l*, 5019*m*, 5019*n*, 5019*o*, 5019*p*," to Committee on Corporations other than Railroads and Insurance;

Also, Senate bill No. 164, entitled "An act to amend chapter 148 of the Revised Statutes of the State of Missouri, of the year 1879, entitled 'Of salaries,' by adding thereto a new section to be designated section 6991*a*, providing for the compensation of special judges," to the Committee on Judiciary;

Also, Senate bill No. 165, entitled "An act to repeal section 2400 of chapter 32, Revised Statutes of 1879, entitled 'Of executions,' and to enact a new section in lieu thereof, to be known as section No. 2400," to the Committee on Judiciary;

Also, Senate bill No. 166, entitled "An act to amend section 3514, article 5, chapter 59 of the Revised Statutes of the State of Missouri of the year 1879, by striking out the word 'forty,' wherever it occurs in said section, and inserting therein in lieu of 'forty,' the word 'fif-

teen,' so that said section, as so amended, shall read as appears in the body of this act," to the Committee on Judiciary;

Also, Senate bill No. 167, entitled "An act to amend section 5878 of chapter 118, article 1 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of institutions,' by striking out certain words and inserting other words in lieu thereof," to the Committee on Eleemosynary Institutions;

Also, Senate bill No. 168, entitled "An act to place the streets and alleys in unincorporated towns and villages under the control of the county courts and road overseers," to the Committee on Agriculture, Roads and Highways;

Also, Senate bill No. 169, entitled "An act to repeal an act entitled 'An act to amend section 2182 of chapter 28 of the Revised Statutes of Missouri, relating to divorce,' approved March 31, 1885," to the Committee on Judiciary.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read;

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 82, entitled "An act to amend section 2513, chapter 35 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of frauds and perjuries;'"

Also, Senate bill 77, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885;"

Also, Senate bill No. 73, entitled "An act to repeal section six thousand six hundred and sixty-one (6661) of the Revised Statutes of Missouri of 1879," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senate bill No. 22 was ordered engrossed and printed.

Senator Hunter moved that when the Senate adjourn, it adjourn until Monday, 2 o'clock p. m., which was agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Hazell, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Ryors, Saltonstall, Smith and Sparks—17.

NOES—Senators Claycomb, Downing, Gideon, Parcher, Seabourn, Sears, Sheldon, Simrall, Taggart, Webster and Wood—10.

ABSENT—Senators Harmon, Johnson of Madison, Johnson of Montgomery, Mackey and Proctor—5.

ABSENT WITH LEAVE—Senator Sebree.

Senator Allen granted leave of absence until next Tuesday.

Senate bill No. 33, entitled "An act to amend section 1367 of the Revised Statutes of the State of Missouri of 1879," was ordered engrossed and printed.

Senate bill No. 74 was called up with the amendment pending, offered on yesterday by Senator Jacobs.

The amendment was read first and second times and agreed to.

The bill, as amended, was ordered engrossed and printed.

Senate bill No. 80 was laid over informally.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 81, entitled "An act entitled an act to regulate appeals to the circuit court from township boards and courts inferior to the circuit court in counties having fifty thousand inhabitants or less ;"

Also, Senate bill No. 91, entitled "An act to amend section 4 of an act entitled 'An act to amend chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations,' by adding a new article thereto, entitled 'Trust companies,' approved March 20, 1885 ;'"

Also, Senate bill No. 96, entitled "An act to amend chapter 25 of the Revised Statutes of 1879, entitled 'Of damages and contributions in actions of tort,' by adding a new section thereto, to be known as section 2121a ;"

Also, Senate bill No. 104, entitled "An act relating to the shipment of live stock, grain and other articles of trade ;"

Also, Senate bill No. 131, entitled "An act to amend section 4940, article 5, chapter 89, Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages ;'"

Also, Senate bill No. 132, entitled "An act to pay to the county of Livingston school money improperly withheld from it for the year 1875 ;"

Senator Jacobs was granted permission to have Senate bill No. 132 printed at his own expense.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 133, entitled "An act conferring certain powers upon cities whose population entitles them to be ranked as cities of the first and second classes, in relation to the inspection of live stock ;"

Also, Senate bill No. 135, entitled "An act to amend section 2 of an act entitled 'An act to amend section 6772 of article 4, and section 6834 of article 6 of chapter 145 of the Revised Statutes of Missouri, relating to the assessment and collection of revenue, approved March 31, 1885.'"

Senate bill No. 120, entitled "An act in to relation marriage and marriage license," was taken up, and Senator Jacobs offered the following amendment, which was read first and second times and agreed to :

Amend Senate bill No. 120 by adding the following section: Section 9. The provisions of this act shall not be in force and effect until the term of office shall have expired for which the several recorders of this State were elected.

Senator Gideon offered the following amendment, which was read first and second times and agreed to :

Amend printed bill by adding a new section thereto, to be known as section 7. Section 7. The probate judge in the several counties in this State shall enter into a good and sufficient bond, made payable to the State of Missouri, in the sum of \$1,000, for the faithful performance of the duties under this act, which bond shall be filed in the circuit clerk's office, which bond shall be approved by said clerk, with his endorsement thereon.

Senator Moran offered the following amendment, which was read first and second times and agreed to :

The provisions of this bill shall not apply to counties having a population of fifty thousand inhabitants and over.

The bill, as amended, was ordered engrossed and printed.

On motion of Senator Downing, the Senate adjourned.

NINETEENTH DAY—MONDAY, January 31, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments :

By Senator Mansfield, from citizens of Dent county ; also, from citizens of Vernon county ; also, from citizens of Barton county.

By Senator Sears, from citizens of Macon county ; also from citizens of Schuyler county ; also, from citizens of Bates county.

By Senator Taggart, from citizens of DeKalb county.

By Senator Seabourn, from citizens of Lawrence county.

By Senator Jacobs, from citizens of Livingston county.

By Senator Sparks, from citizens of Cass county.

By Senator Wood, from citizens of Marion county.

By Senator Sheldon, from citizens of Cedar county.

The following remonstrances were presented against the submission of a prohibitory amendment to the Constitution, and referred to the Committee on Constitutional Amendments:

By Senator Mansfield, from citizens of Laclede county ; also, from citizens of Pulaski county.

By Senator Wood, from citizens of Monroe county.

Senator Gideon presented a petition from citizens of Greene county against any legislation detrimental to mutual benefit insurance associations, which was referred to the Committee on Insurance.

Senator Downing offered the following resolution, which was read, and on motion of Senator McGinnis, 75 copies were ordered printed:

WHEREAS, We believe that all constitutional government is intended to promote the general welfare of the people by affording security to life, liberty and property, that all persons have a natural right to life, liberty and the enjoyment of the gains of their own industry, that to give security to these things is the principal office of government, and that when government does not confer this security, it fails of its chief design ; therefore, be it

Resolved, That we are opposed to any law in this State which would interfere with these fundamental principles of government, or that would in anywise impair the right of local self government belonging to the people of this State.

Resolved, That we, recognizing these principles as of vital importance to the welfare of the whole people of the State, earnestly believe that the true solution of the liquor question in Missouri is to enact such local option laws in connection with the present high license law as will not seriously interfere with the operation of the same, nor in anywise impair the right of local self government.

Senator Downing introduced joint and concurrent resolution No. 8, providing that no bills be introduced into either House on or after the first day of March, 1887, except the general appropriation bill, refunding bill and deficiency bill, which was read first time and 75 copies ordered printed.

Senator Harmon introduced Senate bill No. 229, entitled "An act to amend section 4043, Revised Statutes, 1879," which was read first time and 75 copies ordered printed.

Senator Mansfield introduced Senate bill No. 230, entitled "An ac

to define a retail liquor dealer, and to enact a special class of licenses, to be known as retail liquor dealers," which was read first time and 75 copies ordered printed.

Senator Sears introduced Senate bill No. 231, entitled "An act to repeal an act approved March 31, 1885, entitled 'An act to amend an act entitled 'An act to provide for the payment of wages of labor in the lawful money of the United States,' and to enact two new sections in lieu thereof,'" which was read first time and 75 copies ordered printed.

Senator Sparks introduced Senate bill No. 232, entitled "An act to provide for the prevention of accidents to railroad employes and others by requiring that switches, frogs and guard rails be properly blocked," which was read first time and 75 copies ordered printed.

Senator Sheldon introduced Senate bill No. 233, entitled "An act authorizing county clerks to practice as attorneys and counselors at law," which was read first time and 75 copies ordered printed.

Senator Sheldon introduced Senate bill No. 234, entitled "An act to repeal an act entitled 'An act to amend section 2182 of chapter 28 of the Revised Statutes of Missouri, relating to divorce,' approved March 31, 1885, and to re-enact section 2182 of chapter 28, Revised Statutes of Missouri, and add one new section to said chapter 28, to be known as section 2182a," which was read first time and 75 copies ordered printed.

Senator Hazell introduced Senate bill No. 235, entitled "An act to appropriate money for the improvement of the State capitol building," which was read first time and 75 copies ordered printed.

Senator Simrall introduced Senate bill No. 236, entitled "An act to amend an act entitled 'An act concerning reporting and publishing the opinions of the Supreme Court and courts of appeals,'" which was read first time and 75 copies ordered printed.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 156, entitled "An act to repeal section 2174 of chapter 28 of the Revised Statutes of Missouri, entitled 'Of divorce, alimony and custody of children,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 169, entitled "An act to repeal an act entitled 'An act to amend section 2182 of chapter 28 of the Revised Statutes of Missouri, relating to divorce, approved March 31, 1885,'" beg leave to

report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 164, entitled "An act to amend chapter 148 of the Revised Statutes, of the State of Missouri of the year 1879, entitled 'Of salaries,' by adding thereto a new section, to be designated section 691a, providing for the compensation of special judges," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendment:

Amendment to Senate bill No. 164: Amend said bill by striking out the second section thereof and inserting in lieu thereof the following, to wit: The fact that in a large number of circuits of this State new judges have recently been elected who are disqualified to sit as judges in many of the cases pending in said circuit courts, thereby necessitating the election of special judges, an emergency exists within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage.

The amendment was read first and second times and agreed to.

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 110, entitled "An act to enable guardians and curators to invest the funds of their wards in real estate," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment:

Amendment to Senate bill No. 110: Amend section 3 by inserting in line eleven of printed bill, after the word "curator," the words "believe that the facts set forth in the petition are true, and that said guardian or curator."

The amendment was read first and second times and agreed to.

Senator Claycomb submitted the following report from the Committee on Labor, Mines and Manufactories, which was read:

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred Senate bill No. 139, entitled "An act to provide for the drainage of lead and zinc mines, and to regulate the liability of the owners of mineral bearing lands and the lessees thereof who are benefited by drainage," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Parcher introduced Senate bill No. 237, entitled "An act to create a new Normal school district to be known as District No. 4, and to establish Normal school No. 4, and to appropriate money therefor," which was read first time and 75 copies ordered printed.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 140, entitled "An act to provide for the preventing of the evils of intemperance in any county in this State, etc.," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend by inserting between the words "voters" and "who," in the second line of section 1 of printed bill, the following words: "Of any county who shall reside outside of the corporate limits of any city or town, having at the time of such petition a population of twenty-five hundred inhabitants or more."

The amendment was read first and second times and agreed to.

No. 2. Amend section 1 of bill by inserting between the words "county" and "*Provided*," in the eighth line of printed bill, "lying outside of such corporate limits of such city or town, such election shall be conducted, the returns thereof made and the result thereof ascertained and determined in accordance in all respects with the laws of this State governing general elections for county officers, and the result thereof shall be entered upon the records of such county court; and the expenses of such election shall be paid out of the county treasury, as in case of elections for county officers: *Provided*, that at an election ordered under the provisions of this section, no one shall be entitled to vote who is a resident of any incorporated town having a population of twenty-five hundred inhabitants or more, or who is not a qualified voter of such county."

The amendment was read first and second times and agreed to.

No. 3. Amend by striking out from line ten of section 1 of printed bill, the word "thirty," and insert in lieu thereof the word "sixty."

The amendment was read first and second times and agreed to.

No. 4. Amend by inserting after the first section, as amended, as above recommended, the following, to be known as section 2 of the bill: "That upon application by petition therefor, signed by one-tenth of the qualified voters of any incorporated city or town in the State having a population of twenty-five hundred inhabitants or more, to the body having legislative functions therein, such body shall order an election to be held in such city to be voted at by the qualified voters thereof, and no others; to determine whether or not spirituous or intoxicating liquors shall be sold within the limits of such city or town. Such election shall be held within forty days after the receipt of such petition, but not within sixty days of any municipal or State election held in such city, and shall be conducted, the returns thereof made,

and the result thereof ascertained and determined in accordance in all respects with the laws and ordinances governing municipal elections in such city; and frauds perpetrated and fraudulent voting at such elections shall be offenses as prescribed for frauds and fraudulent voting at general elections held under the laws of this State, and shall be punished as in such laws provided. The result of such election shall be entered upon the journal or records of the body ordering the same, and the expenses thereof shall be paid out of the treasury of said town in the same manner as the expenses of other municipal elections; *Provided*, that for the purposes of determining the fact of whether or not any town shall be governed by the provisions of this section, such body having legislative functions therein, may, under an ordinance thereof, take a census of the inhabitants of such town, and the result of such census shall be entered upon the journals or records thereof, and such entry, or a certified copy thereof, shall be proof of such fact, and shall be filed with the clerk of the county court of the county in which such town is situated.

The amendment was read first and second times and agreed to.

No. 5. Amend section 2, 3, 4, 5, 6 and 7 by striking out of line one of each of said sections, respectively the figures "2," "3," "4," "5," "6," "7," and inserting in lieu thereof respectively, the figures "3," "4," "5," "6," "7" and "8."

The amendment was read first and second times and agreed to.

No. 6. Amend by inserting between the words "court," in the fifth line of section 2 of printed bill, and "may," in the sixth line thereof, the following words: "or municipal body ordering such election;" and by striking out of said section all of the matter from and including the word "such," in the seventh line thereof, to and including the word "act, in the twelfth line thereof.

The amendment was read first and second times and agreed to.

No. 7. Amend by inserting between the words "court" and "ordering," in the seventh line of section 3 of printed bill, the following words: "or municipal body."

The amendment was read first and second times and agreed to.

No. 8. Amend by striking out all of the matter from and including the word "that," in the first line of section 4 of printed bill, to and including the word "that," in the eighth line thereof, and by inserting between the words "court" and "shall," in line 13 of section 4, the following words: "or municipal body ordering such election;" and by striking out of lines twenty-three and twenty-four of said section 4, the word "removed," and by inserting in lieu thereof the word "renewed."

The amendment was read first and second times and agreed to.

No. 9. Amend by inserting between the word "county" and the

words "or city," in the fourth line of section five of printed bill, the following words in brackets [lying outside of the corporate limits of any city or town having at the date of such order of election a population of twenty-five hundred inhabitants or more].

The amendment was read first and second times and agreed to.

No. 10. Amend by striking out the word "be," standing between the words "only" and "a," of the fifth line of section 6 of printed bill, and inserting in lieu thereof the word "upon."

The amendment was read first and second times and agreed to.

No. 11. Amend by striking out of said bill the whole of section 8 thereof.

The amendment was read first and second times and agreed to.

During the pendency and discussion of the foregoing amendments, Senator Gideon offered the following amendment to amendment No. 1, which was not agreed to:

Amend by striking out all of section 2 of the amendment.

Senator McGinnis offered the following amendment to amendment No. 4, which was rejected:

Amend by striking out of line nine of section 8, printed bill, the word "tenth," and inserting the word "fourth."

Senator Hazell offered the following amendment to amendment No. 4, which was not agreed to:

Amend by striking out the words "twenty-five hundred," and insert in lieu thereof the words "one thousand."

Senator Hazell offered the following amendment to amendment No. 4, which was not agreed to:

Amend by striking out the words "twenty-five hundred" and inserting in lieu thereof the words "fifteen hundred."

Senator Parcher offered the following amendment to amendment No. 4, which was not agreed to:

Amend by striking out "2,500" and insert "4,000."

Senator Downing offered the following amendment to Senate bill No. 140, which was not agreed to:

Amend printed bill by striking out the word "four," in the fourth line of section 6 of printed bill, and insert in lieu thereof the word "two."

Senator McGinnis moved that Senate bill No. 140 be engrossed and printed, which was agreed to.

On motion, Senator Wood was authorized to have Senate bill No. 140 printed at his own expense.

Senator Harmon offered the following resolution, which was adopted:

Resolved, That the committees of the House and Senate on Rail-

roads and Internal Improvement be allowed the use of the Senate chamber this afternoon, evening and to-morrow evening.

Senator Hunter was granted leave of absence until to-morrow.

On motion of Senator Harmon, the Senate adjourned until to-morrow morning at 10 o'clock A. M.

TWENTIETH DAY—TUESDAY, February 1, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions, asking for the submission of a prohibitory amendment to the Constitution, were presented and referred to the Committee on Constitutional Amendments :

By Senator Mackey, from citizens of Chariton county.

By Senator Harmon, from citizens of Lafayette county.

By Senator Hazell, from citizens of Morgan county.

By Senator Downing, from citizens of Clark county ; also, from citizens of Knox county.

By Senator Taggart, from citizens of Daviess county.

By Senator Moran, from citizens of Andrew county.

By Senator Castleman, from citizens of St. Louis.

By Senator Mansfield, from citizens of Crawford county.

By Senator Sparks, from citizens of Henry county.

By Senator Gideon, from citizens of Greene county ; also, from Taney county.

By Senator Sheldon, from citizens of Dade county.

By Senator Sears, from citizens of Schuyler county.

By Senator Saltonstall, from the State at large.

By Senator Saltonstall, from citizens of Benton county.

By Senator Parcher, from citizens of Nodaway county.

The following remonstrances against the submission of a pro-

hibitory amendment were presented and referred to the Committee on Constitutional Amendments:

By Senator Mansfield, from citizens of Wright county.

By Senator Smith, from citizens of Ste. Genevieve county.

By Senator McGinnis, from citizens of St. Louis.

By Senator Ketchum, from citizens of St. Louis.

By Senator Sparks, from citizens of Henry county.

By Senator Ryors, from citizens of Osage county.

By Senator Proctor, from citizens of Howard county; also, from citizens of Boone county.

By Senator Johnson of Montgomery, from citizens of Warren county.

By Senator Simrall, from citizens of Platte county.

By Senator Castleman, from citizens of St. Louis.

By Senator Smith, from citizens of Bollinger county; also from citizens of Cape Girardeau, Perry and St. Francois counties.

By Senator Simrall, from citizens of Clinton county.

By Senator Moran, from citizens of Buchanan county.

By Senator Kerwin, from citizens of St. Louis.

By Senator Hazell, from citizens of Cole county.

By Senator Allen, from citizens of Jackson county.

By Senator Wood, from citizens of Ralls county; also, from citizens of Shelby; also, from citizens of Marion county.

By Senator Sears, from citizens of Schuyler county; also, from citizens of Randolph county.

By Senator Mansfield, from citizens of Phelps county.

By Senator Seabourn, from citizens of Lawrence county; also, from citizens of Newton county.

By Senator Saltonstall, from citizens of Camden county.

Senator Parcher presented a petition from citizens of Holt county against the pooling of earnings by railroads, which was referred to the Committee on Railroads and Internal Improvements.

Senator Claycomb presented a petition from Assembly 4928, Knights of Labor, against the employment of children in mines and manufactories, which was referred to the Committee of Labor, Mines and Manufactories.

Senator Simrall introduced Senate bill No. 238, entitled "An act to amend section 1268 of article 2 of chapter 24 of the Revised Statutes of 1879, entitled 'Of crimes and criminal procedure,' " which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery introduced Senate bill No. 239, entitled "An act to provide for the holding of two terms of the Montgomery county circuit court at the city of Montgomery, in said county,

and prescribing the jurisdiction thereof," which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery introduced Senate bill No. 240, entitled "An act to repeal section 1147 of article 4 of chapter 23 of the Revised Statutes of Missouri, entitled 'Circuit courts,' and to enact a new section, to be numbered 1147, in lieu thereof," which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery introduced Senate bill No. 241, entitled "An act to establish and require the holding two of the four terms of the probate court of Montgomery county, required by law to be held at the city of Montgomery, with powers and jurisdiction coexclusive with said county as per time to similar courts of record in this State, and to appoint a clerk therefor," which was read first time and 75 copies ordered printed.

Senator Webster introduced Senate bill No. 242, entitled "An act to amend section 2812 of article 1, chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts,'" which was read first time and 75 copies ordered printed.

Senator Mansfield offered the following resolution, which was read and adopted :

Resolved, That Senator McGinnis be added to the Agriculture and State University Investigating Committee.

Senator Hunter granted leave of absence until to-morrow, and Senator Sebree granted leave of absence until Saturday next.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 123, entitled "An act to amend section 3229 of article 2, chapter 48 of the Revised Statutes of the State of Missouri, entitled 'Limitation of actions,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 141, entitled "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees,'" beg leave to report that they have examined the same and recommend that it do pass.

Senator Smith submitted the following report from the Committee on Penitentiary, which was read :

MR. PRESIDENT: Your Committee on Penitentiary, to whom was referred Senate bill No. 3, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money

therefor," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Harmon called up substitute for Senate bill No. 8.

Senator Parcher offered the following amendment to substitute for Senate bill No. 8, which was read first and second times and agreed to :

Amend printed substitute by inserting between the word "the" and the word "affairs," in the 8th line of section 2, the words "official and physical."

The substitute, as amended, was adopted.

The substitute, as amended, was ordered engrossed and printed.

Senator Sparks submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 132, entitled "An act to pay to the county of Livingston school moneys improperly withheld from it for the year 1875; "

Also, Senate bill No. 60, entitled "An act to amend chapter 59, article 7 of the Revised Statutes of Missouri, 1879, entitled 'Of practice in civil cases,' by adding a new section thereto, to be known as section 3662a; "

Also, Senate bill No. 83, entitled "An act to repeal certain parts of an act entitled 'An act to amend section 1159 of article 4, chapter 23 of the Revised Statutes of Missouri of 1879, relating to courts of record,' approved January 31, 1885; "

Also, Senate bill No. 76, entitled "An act to amend section 2, of article 1 of chapter 1 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of the administration of the estates of deceased persons; ' "

Also, Senate bill No. 59, entitled "An act providing for the appointment of a county ccunselor in counties now containing or that hereafter may contain seventy-five thousand inhabitants or more, prescribing their qualifications and duties, and providing for their compensation;" beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 26, entitled "An act entitled an act to amend an act entitled 'A bill for an act to prevent the manufacture and sale of oleaginous substances,'" beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments :

No. 1. Amend by striking out the word "knowingly," in the 21st line and 5th line of printed bill.

The amendment was read first and second times and agreed to.

No. 2. Amend by striking out section 2 of printed bill.

The amendment was read first and second times and agreed to.

No. 3. Amend by striking out emergency clause, and inserting in lieu thereof the following, to be known as section 2: The fact that the business interest of the State of Missouri is suffering by the prohibition of the manufacture and sale of butter substitutes therein, creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage.

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 66, entitled "An act regulating the sale of morphine and its salts," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 111, entitled "An act to authorize local option, etc.," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Simrall, Senate bill No. 111 was indefinitely postponed.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 21, entitled "An act to provide for local option, etc.," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 70, entitled "An act to establish local option, etc.," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Simrall, Senate bills Nos. 21 and 70 were indefinitely postponed.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 130, entitled "An act entitled a general local option law," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 102, entitled "An act to repeal section 1881 of chapter 24, article 27 of the Revised Statutes of Missouri, in relation to change of venue in criminal cases," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments:

Amend by striking out all of the matter from and including the word "which," in line 36 of printed bill to and including the word "passage," in line 41 thereof, and by inserting in lieu thereof the following: "and five (5) dollars per diem for the time necessarily consumed in going to and returning from the place of trial, and the time consumed in the trial of said cause, which shall be paid out of the State treasury, upon the certificate of the clerk of the court in which such cause shall be pending."

Amendment read first and second times and agreed to.

Section 1881*a*. The uncertainty of the law relating to changes of venue in criminal cases creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage.

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 38, entitled "An act to amend section 1904 of article 18 of chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" beg leave to report that they have carefully examined the same and recommend that it do not pass, but that the accompanying substitute do pass.

The substitute for Senate bill No. 38 was read first and second times and agreed to.

Senator Johnson of Montgomery submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 10, entitled "An act to exempt certain corporations from the operation of the general insurance laws of the State of Missouri;"

Also, Senate bill No. 84, entitled "An act to furnish the county of Butler the Supreme Court and the courts of appeals reports from volume 16; also the Revised Statutes of 1879, and session laws of 1881, 1883 and 1885;"

Also, Senate bill No. 87, entitled "An act entitled an act to estab-

lish an appellate court, to be known as the Springfield Court of Appeals, the appointment and election of their judges, and their tenure in office, and providing for the appointment of officers and attendants of said court and their compensation ;”

Also, Senate bill No. 89, entitled “An act to amend section 7095, article 1, chapter 150, Revised Statutes of Missouri of 1879, entitled ‘Of schools ;’”

Also, Senate bill No. 94, entitled “An act to establish an academic department in connection with Lincoln Institute for the higher education of the negro race ;”

Also, Senate bill No. 14, entitled “An act authorizing county courts in counties now containing or that may hereafter contain one or more graded roads to macadamize the same, and providing the manner of doing such work ;”

Also, Senate bill No. 113, entitled “An act to repeal section 6705, chapter 145, article 2 of the Revised Statutes of Missouri, 1879, and to repeal said section, as amended by the session acts of 1881, at page 180 of said session acts, approved March 24, 1881 ;”

Also, Senate bill No. 118, entitled “An act allowing jurors who have been found by the court to be qualified to sit as jurors in cases provided for in the first two subdivisions of section one thousand nine hundred of chapter one hundred and three of the Revised Statutes of Missouri of 1879, per diem and mileage ;”

Also, Senate bill No. 79, entitled “An act to declare the true meaning and intent of article nine, section 1666, Revised Statutes of 1879, entitled ‘Miscellaneous provisions and matters of practice,’ by adding a new section thereto, to be known as section 1666a,” beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 170, entitled “An act to repeal sections 7081, 7083, 7084, 7085 and 7086, article I, chapter 150 of the Revised Statutes of the State of Missouri, entitled ‘Of schools ;’ also, to repeal an act entitled ‘An act to amend section 7082, article 1, chapter 150, Revised Statutes of the State of Missouri, entitled ‘Of schools,’ approved April 2, 1883,’ and to enact the following sections in lieu thereof, to be numbered 7081, 7082, 7083, 7084, 7085, 7086, relating to the election, duties and compensation of a county superintendent of public schools,” to the Committee on University, Public and Normal School Education ;

Senate bill No. 171, entitled “An act to amend an act entitled ‘An act to restrain domestic animals from running at large,’ approved

March 27, 1883, by adding a new section thereto, to be known as section 12a," to Committee on Agriculture, Roads and Highways ;

Senate bill No. 172, entitled "An act of limitation of actions on dower and the assignment of dower," to Committee on Judiciary ;

Senate bill No. 173, entitled "An act to amend section twenty-eight hundred and three (2803), article one (1), chapter forty-four (44) of the Revised Statutes of the State of Missouri, so as to entitle cities of over one hundred thousand inhabitants or more to two justices of the peace in addition to the number allowed by law to the township in which such town may be," to Committee on Justices of the Peace ;

Senate bill No. 174, entitled "An act to amend section 2174 of chapter 28 of the Revised Statutes of Missouri, relating to divorce, alimony and custody of children," to Committee on Judiciary ;

Senate bill No. 175, entitled "An act to regulate charitable and educational institutions in the State, and to improve their management, and to increase their efficiency, and to provide for the appointment of a State board of commissioners of such public institutions," to Committee on University, Public and Normal School Education ;

Senate bill No. 176, entitled "An act to amend chapter 103 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of fees,' by adding thereto a new section, to be known as section 5650a," to Committee on Judiciary ;

Senate bill No. 177, entitled "An to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations,'" to Committee on Corporations other than Railroad and Insurance Companies ;

Senate bill No. 178, entitled "An act to authorize county courts to provide for the payment and to pay for bridges, court houses, jails or other public buildings, erected or repaired, or for improvements thereon in certain cases," to Committee on Ways and Means ;

Senate bill No. 179, entitled "An act to repeal section 1186 of chapter 23, article 5 of the Revised Statutes of Missouri of 1879, entitled 'Courts of record,' and relating to the fees of judges of probate, and to enact a new section in lieu thereof, relating to the same subject," to Committee on Judiciary ;

Senate bill No. 180, entitled "An act to repeal section 1666 of chapter 24, article 9 of the Revised Statutes of Missouri of 1879, entitled 'Crimes and criminal procedure, and miscellaneous provision and matters of practice,' and to enact a new section in lieu thereof, relating to the same subject, to be known as section 1666," to Committee on Criminal Jurisprudence ;

Senate bill No. 181, entitled "An act to amend section 3833 of chapter 62 of the Revised Statutes of the State of Missouri, entitled 'Of recorders of deeds,'" to Committee on Judiciary ;

Senate bill No. 182, entitled "An act to amend section 171, article 8, chapter 1, Revised Statutes of 1879, entitled 'Administration,'" to Committee on Judiciary;

Senate bill No. 183, entitled "An act to authorize sales of real estate situate within the corporate limits of cities having a population of over 100,000 inhabitants to be made at real estate exchanges located in such cities, where such sales are made under orders of court, or by executors, by administrators, by guardians or curators of minors or insane persons, by assignees for the benefit of creditors, by commissioners or sheriffs in partition, and by sheriffs under writs of execution," to Committee on Judiciary;

Senate bill No. 184, entitled "An act to amend section 5148 of the Revised Statutes of 1879, being section 5148 of chapter 93, entitled 'Of coroners and inquests,' " to Committee on Judiciary;

Senate bill No. 185, entitled "An act to ascertain the population of any county in this State, and to adjust the salaries of certain officers," to Committee on Judiciary;

Senate bill No. 186, entitled "An act to amend section 5148 of chapter 93 of the Revised Statutes of Missouri, entitled 'Of coroners and inquests,' by striking out certain words therefrom," to Committee on Judiciary;

Senate bill No. 187, entitled "An act to amend section 5637 of chapter 103 of the Revised Statutes of 1879," to Committee on Judiciary;

Senate bill No. 188, entitled "An act to enforce the provisions of article 12 of the Constitution of the State of Missouri, relating to railroads," to Committee on Railroads and Internal Improvements;

Senate bill No. 189, entitled "An act to amend chapter 150, Revised Statutes of Missouri, 1879, entitled 'Of schools,' by adding a new section thereto, to be known as section 7141a," to Committee on University, Public and Normal School Education;

Senate bill No. 190, entitled "An act authorizing the Governor to appoint commissioners to inquire into the relative merits and efficiency of the office of prosecuting and circuit attorney, the relative costs and number of convictions under both systems, and the propriety and necessity of curtailing the number of judicial circuits in this State, and enlarging the same, and to provide for the compensation of said commissioners," to Committee on Criminal Jurisprudence;

Senate bill No. 191, entitled "An act to amend chapter 47, article 1 of Revised Statutes of Missouri, 1879, entitled 'Mechanics' liens,' by adding a new section thereto, to be known as section 3195a," to Committee on Judiciary;

Senate bill No. 192, entitled "An act in relation to limitations of equitable titles," to Committee on Judiciary;

Senate bill No. 193, entitled "An act to repeal an act entitled 'An act to amend section 5627 of chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees,' approved March 21, 1883," and to enact a new section in lieu thereof," to Committee on Judiciary;

Senate bill No. 194, entitled "An act to authorize business, benevolent and miscellaneous associations to carry on the business of life and accident insurance on the assessment plan," to Committee on Insurance;

Senate bill No. 195, entitled "An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor," to Committee on Penitentiary;

Senate bill No. 196, entitled "An act to prevent insurance companies doing business in this State from entering into combinations for the purpose of governing or controlling the rates charged for fire insurance on property in this State," to Committee on Insurance;

Senate bill No. 197, entitled "An act to amend article 2 of chapter 48 of the Revised Statutes of Missouri, entitled 'Of the limitation of actions,' by adding thereto a new section, to be known as No. 3253½, relating to the deduction of the time that set off, counter-claim, etc., is pending from the statutory period of limitation," to Committee on Judiciary;

Senate bill No. 198, entitled "An act to amend chapter 64 of the Revised Statutes of Missouri, entitled 'Of set off,' by adding thereto a new section, to be known as No. 3878½, relating to the rights of parties filing set offs," to Committee on Judiciary;

Senate bill No. 199, entitled "An act to amend chapter 37 of the Revised Statutes of Missouri, 1879, entitled 'Of guardians and curators,' by adding a new section thereto, to be known as section 2591a," to Committee on Judiciary;

Senate bill No. 200, entitled "An act to amend section 929 of article 8 of the Revised Statutes of Missouri of 1879, entitled 'Manufacturing and business companies,' " to Committee on Judiciary;

Senate bill No. 201, entitled "An act to amend chapter 18, Revised Statutes, 1879, of Missouri, entitled 'Of constables,' by adding a new section thereto, to be known as section 650a," to Committee on Justices of the Peace;

Senate bill No. 202, entitled "An act to prohibit the sale of intoxicating liquors within three (3) miles of the Avalon college, situated in Livingston county, Missouri," to Committee on Criminal Jurisprudence;

Senate bill No. 203, entitled "An act to repeal section 1 of the session acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record," approved April 2, 1883, and to enact a new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit," to Committee on Judiciary;

Senate bill No. 204, entitled "An act to repeal an act entitled 'An act creating a board of health for the State of Missouri, defining its duties and powers and fixing the compensation of its officers,' approved March 29, 1883, and to enact new sections in lieu thereof," to Committee on Judiciary;

Senate bill No. 205, entitled "An act to provide for a more speedy collection of judgments against municipal corporations," to Committee on Judiciary;

Senate bill No. 206, entitled "An act to pay the county of McDonald school moneys improperly withheld from it for the year 1875," to Committee on Appropriations;

Senate bill No. 207, entitled "An act to repeal section five thousand six hundred and fourteen of chapter 103 of the Revised Statutes of Missouri for the year 1879, and to enact a new section in lieu thereof concerning constables' fees," to Committee on Justices of the Peace;

Senate bill No. 208, entitled "An act to provide for completing the records of the probate courts in counties where former judges and clerks thereof have kept minutes of the proceedings thereof, but have failed to enter such proceedings at large in the records of said court," to Committee on Judiciary;

Senate bill No. 209, entitled "An act to prohibit railroad companies, corporations or individuals owning, operating or managing any railroad in the State of Missouri from consolidating the stock, property or franchises of such company, corporation or individual, or from leasing, purchasing or in any other manner acquiring an interest in the works or franchises of, or in any way whatever to any degree, exercising control over any railroad company, corporation or individual owning, operating or having under his or their control or management a parallel or competing line in this State, and to prescribe penalties therefor, and the means of enforcing the provisions of this act, and to repeal all acts or parts of acts in conflict or inconsistent herewith," to Committee on Railroads and Internal Improvements;

Senate bill No. 210, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' " to Committee on Justices of the Peace;

Senate bill No. 211, entitled "An act to amend an act entitled 'An act to amend section 3 of an act to amend sections 1127, 1135 and 1165 of the Revised Statutes, 1879, entitled 'Circuit courts,' and attaching the county of Taney to the 21st judicial circuit, approved March 22, 1883," to Committee on Judiciary ;

Senate bill No. 212, entitled "An act to amend section 5622 of the Revised Statutes of 1879 of chapter 103, entitled 'Of fees,'" to Committee on Justices of the Peace ;

Senate bill No. 213, entitled "An act to amend chapter 158 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of county surveyors,' by adding thereto a new section, to be known as section 7406a," to Committee on Judiciary ;

Senate bill No. 214, entitled "An act authorizing street railroad companies to change the motive power on their roads," to Committee on Corporations other than Railroad and Insurance Companies ;

Senate bill No. 215, entitled "An act to provide for service of process in proceedings to contest corporate elections," to Committee on Judiciary ;

Joint and concurrent resolution No. 5, entitled "Joint and concurrent resolution requesting our Senators and Representatives in Congress to vote for and use all honorable means to procure the passage of the Miller bill, that has for its object the extirpation of the dread disease, pleuro-pneumonia," to Committee on Agriculture, Roads and Highways ;

Joint and concurrent resolution No. 6, entitled "Joint and concurrent resolution authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer, to cancel vouchers, destroy warrants and enter settlement on the books of the Auditor and Treasurer," to Committee on Ways and Means ;

Joint and concurrent resolution No. 7, to Committee on Railroads and Internal Improvements.

Senator Sears introduced concurrent resolution No. 10, submitting to the qualified voters of the State an amendment to the Constitution thereof concerning the judicial department, which was read first time and 75 copies ordered printed.

Senator Harmon submitted the following report from the Committee on Agriculture, Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 95, entitled "An act appropriating money to properly equip the State Agricultural College and farm of Missouri," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment :

Amendment No. 1. Amend printed bill by striking from line six in section one, the word "cow," and insert in lieu thereof the word "corn," and insert after the word "barn," in the same line, in the same section, the words and figures \$2,000.

The amendment was read first and second times and agreed to.

Senate bill No. 77, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT WITH LEAVE—Senators Ball, Hunter, Johnson of Madison and Sebree—4.

On motion of Senator Claycomb to reconsider the vote by which the bill passed and to lay that motion on table, the latter motion prevailed.

Senate bill No. 73, entitled "An act to repeal section six thousand six hundred and sixty-one (6661) of the Revised Statutes of Missouri of 1879," was taken up, read third time and passed by the following vote :

AYES—Senators Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Saltonstall, Sears, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—24.

NOES—Senators Allen, Jacobs, Proctor, Ryors, Seabourn and Smith—6.

ABSENT WITH LEAVE—Senators Ball, Hunter, Johnson of Madison and Sebree—4.

The emergency clause failed to pass by the following vote :

AYES—Senators Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Saltonstall, Sears, Sheldon, Sparks, Taggart and Wood—22.

NOES—Senators Allen, Davisson, Proctor, Ryors, Seabourn, Simrall, Smith and Webster—8.

ABSENT WITH LEAVE—Senators Ball, Hunter, Johnson of Madison and Sebree—4.

The title was read and agreed to.

Senate bill No. 82, entitled "An act to amend section 2513, chap-

ter 35 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of frauds and perjuries,' was read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

NO—Senator Ryors.

ABSENT—Senators Parcher and Proctor—2.

ABSENT WITH LEAVE—Senators Ball, Hunter, Johnson of Madison and Sebree—4.

The title was read and agreed to.

On motion of Senator Allen to reconsider the vote by which the bill passed and to lay that motion on the table, the latter motion prevailed.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 110, entitled "An act to enable guardians and curators to invest the funds of their wards in real estate ;"

Also, Senate bill No. 139, entitled "An act to provide for the drainage of lead and zinc mines, and to regulate the liability of the owners of mineral-bearing lands and the lessees thereof who are benefited by drainage."

Senate bill No. 156, entitled "An act to repeal section 2174 of chapter 28 of the Revised Statutes of Missouri, entitled 'Of divorce, alimony and custody of children,'" was taken up. The Senate refused to order the bill engrossed and printed by the following vote :

AYES—Senators Claycomb, Davisson, Gideon, Johnson of Montgomery, Kelly, Kerwin, Mackey, Ryors, Seabourn, Sheldon, Simrall, Smith, Webster and Wood—14.

NOES—Senators Allen, Castleman, Downing, Harmon, Hazell, Ketchum, McGinnis, Mansfield, Moran, Parcher, Proctor, Sears, Sparks and Taggart—14.

ABSENT—Senators Jacobs and Saltonstall—2.

ABSENT WITH LEAVE—Senators Ball, Hunter, Johnson of Madison and Sebree—4.

Senate bill No. 164 was taken up.

Senator Seabourn offered the following amendment, which was read first and second times :

Amend section one of printed bill by striking out the word "ten," where it occurs in the ninth line of said section, and inserting in lieu thereof the word "five."

Senator Smith offered the following amendment to the amendment :

Amend amendment offered by Senator Seabourn to printed bill No. 164, by striking out the word "five" in such amendment, and insert the word "one."

The amendment was not agreed to by the following vote:

AYES—Senators Parcher and Simrall—2.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT WITH LEAVE—Senators Ball, Hunter, Johnson of Madison and Sebree—4.

The question recurring on the amendment to the bill, it was not agreed to by the following vote:

AYES—Senators Jacobs, Johnson of Montgomery, Parcher and Seabourn—4.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—25.

ABSENT—Senator Mansfield.

ABSENT WITH LEAVE—Senators Ball, Hunter, Johnson of Madison and Sebree—4.

Senator Harmon offered the following amendment to the bill, which was read first and second times:

Strike out the stump speech where it occurs before the enacting clause.

The amendment was agreed to.

Senator Harmon offered the following amendment to Senate bill No. 164, which was not agreed to:

Strike out the word "county," in the 12th line of printed bill, and insert in lieu thereof "by the judge whose place he takes."

The bill, as amended, was ordered engrossed and printed.

Senate bill No. 169 was taken up, and on motion of Senator Sheldon was indefinitely postponed.

Senator Harmon moved to reconsider the vote by which substitute for Senate bill No. 8 was ordered engrossed and printed. The motion prevailed.

Senator Parcher offered the following amendment to substitute for Senate bill No. 8, which was read first and second times and agreed to:

Amend section No. 7 of printed bill by inserting in second line of said section, between the words "Constitution" and "this," the follow-

ing words: "an emergency exists, therefore," so that said section will read as follows:

Section 7. There being no legislation to enforce the provisions of section 24 of article 12 of the State Constitution, an emergency exists; therefore, this act shall take effect and be in force immediately after its passage.

The substitute, as amended, was ordered engrossed and printed.

Senator McGinnis introduced Senate bill No. 243, entitled "An act to amend sections 1 and 4 of an act entitled 'An act to amend sections 5438, 5440, 5441, 5442, 5446, 5464; to repeal section 5462 of chapter 98, and adding three new sections thereto, entitled 'Of dramshops,' approved March 20, 1883," which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 244, entitled "An act to amend section 3310 of the Revised Statutes of Missouri of 1879," which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery, from the Committee on Engrossed Bills, submitted the following report, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 140, entitled "An act to provide for the preventing of the evils of intemperance by local option in any county in this State, and in cities of three thousand inhabitants or more, by submitting the question of prohibiting the sale of intoxicating liquors, to the qualified voters of such county or city; to provide penalties for its violation, and for other purposes," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Johnson of Montgomery moved to reconsider the vote by which Senate bill No. 120 was ordered engrossed and printed, which was agreed to.

On motion of Senator Gideon, the Senate adjourned until 10 o'clock to-morrow.

TWENTY-FIRST DAY—WEDNESDAY, February 2, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Jacobs, from citizens of Livingston county.

By Senator Seabourn, from citizens of McDonald county; also from citizens of Lawrence county; also from citizens of Newton county.

By Senator Parcher, from citizens of Nodaway county.

By Senator Downing, from citizens of Scotland county.

By Senator Sebree, from citizens of Carroll and Caldwell counties.

By Senator Ketchum, from citizens of St. Louis.

By Senator Ball, from citizens of Audrain county.

By Senator Sheldon, from citizens of Dade county; also, Jasper county; also, Cedar county.

By Senator Saltonstall, from citizens of Knox county; also, Pettis county.

By Senator Allen, from citizens of Jackson county.

By Senator Harmon, from citizens of Johnson county.

The following remonstrances were presented against the submission of a prohibitory amendment to the Constitution, which were referred to the Committee on Constitutional Amendments:

By Senator Allen, from citizens of Jackson county.

By Senator Saltonstall, from citizens of Pettis county.

By Senator Ball, from citizens of Pike county; also, from citizens of Audrain county.

By Senator Webster, from citizens of Washington county; also, from citizens of Jefferson county; also, from St. Louis county.

By Senator Claycomb, from citizens of Barton county; also, from Vernon county.

By Senator Downing, from citizens of Lewis county; also, Clark county.

By Senator Kelly, from citizens of St. Louis.

By Senator Hazell, from citizens of Cole county.

From the St. Louis Trades and Labor Union against submission, by Senators Gideon, McGinnis, Saltonstall, Sparks, Seabourn, Mansfield, Sebree and Davisson.

The following petitions in favor of the Legislature prohibiting the employment of children in mines and manufactories were presented and referred to the Committee on Labor, Mines and Manufactories :

By Senator McGinnis, from citizens of St. Louis.

By Senator Sears, from citizens of Randolph county.

By Senator Mansfield, from citizens of Laclède county.

By Senator Davisson, from citizens of St. Louis.

Senator Downing introduced Senate bill No. 245, entitled "An act to provide for the making, publication and distribution of a digest of the reports of the Supreme Court and courts of appeals of this State, and for the appropriation of money therefor," which was read first time and 75 copies ordered printed.

Senator Allen introduced Senate bill No. 246, entitled "An act to amend section 2836, article 2, chapter 44, Revised Statutes, 1879, entitled 'Jurisdiction of justices of the peace,' and sections 2858, 2861, article 3, chapter 44, Revised Statutes, 1879, entitled 'Commencement of suits, etc,'" which was read first time and 75 copies ordered printed.

Senator Smith introduced Senate bill No. 247, entitled "An act to amend section 5032 of the Revised Statutes of Missouri, entitled 'Of mileage,'" which was read first time and 75 copies ordered printed.

Senator Hunter introduced Senate bill No. 248, entitled "An act to amend section 237, chapter 1, article 10, Revised Statutes of Missouri, entitled 'Administration, annual and final settlements,'" which was read first time and 75 copies ordered printed.

Senator McGinnis introduced concurrent resolution No. 11, submitting to the qualified voters thereof an amendment to the Constitution of the State of Missouri, concerning the bill of rights, which was read first time and 75 copies ordered printed.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 208, entitled "An act to provide for completing the records of the probate courts in counties where former judges and clerks thereof have kept minutes of the proceedings, but have failed to enter such proceedings at large in the records of said court," beg leave to report that they have carefully examined the same and a majority recommend that it do pass with the accompanying amendment :

Amendment to Senate bill No. 208. Amend section one of printed

bill by inserting the words "on the order of the county court," between the words "State" and "where," in the 2d line of said section.

The amendment was read first and second times and agreed to.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 187, entitled "An act to amend section 5637 of chapter 103 of the Revised Statutes of 1879," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 186, entitled "An act to amend section 5148 of chapter 93 of the Revised Statutes of Missouri, entitled 'Of coroners and inquests,' by striking out certain words therefrom," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 176, entitled "An act to amend chapter 103 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of fees,' by adding thereto a new section, to be known as section 5650a," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 193, entitled "An act to repeal an act entitled 'An act to amend section 5627 of chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees,' approved March 21, 1883, and to enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 172, entitled "An act of limitation of actions of dower and the assignment of dower," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 203, entitled "An act to repeal section 1 of the session acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record, approved April 2, 1883, and to enact a new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment :

Amendment to Senate bill No. 203. Amend printed bill by inserting the words "in the twenty-seventh judicial circuit," between the figures "1171" and the word "in," in the 6th line.

The amendment was read first and second times and agreed to.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 211, entitled "An act to amend an act entitled 'An act to amend section 3 of an act to amend sections 1127, 1135 and 1165 of the Revised Statutes, 1879, entitled 'Circuit courts,' and attaching the county of Taney to the 21st judicial circuit, approved March 22, 1883," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 197, entitled "An act to amend article 2 of chapter 48 of the Revised Statutes of Missouri, entitled 'Of the limitation of actions,' by adding thereto a new section, to be known as section No. 3253½, relating to the deduction of the time that setoff, counter-claim, etc., is pending from the statutory period of limitation," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 192, entitled "An act in relation to limitation of equitable titles," beg leave to report that they have carefully examined same, and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend printed bill by striking out the word "twenty-four," in the 4th line, and inserting the word "thirty" in lieu thereof.

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend printed bill by striking out the words "within one year from the approval of this act bring his action to recover the same, and in default thereof he shall," where they occur in the 8th and 9th lines.

The amendment was read first and second times and agreed to.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 198, entitled "An act to amend chapter 64 of the Revised Statutes of Missouri, entitled 'Of setoff,' by adding thereto a new section to be known as No. 3878½, relating to the rights of parties filing set-offs," beg leave to report that they have carefully examined the same and a majority recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 182, entitled "An act to amend section 171, ar-

ticle 8, chapter 1, Revised Statutes of 1879, entitled 'Administration,' beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 215, entitled "An act to provide for service of process in proceedings to contest corporate elections," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments.

Amendment No. 1. Amend printed bill by striking out the word "domestic," in the second line.

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend printed bill by inserting the words "organized under the laws of this State," between the words "corporation" and "or," in the 2d line.

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 180, entitled "An act to repeal section 1666 of chapter 24, article 9 of the Revised Statutes of 1879," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Simrall, Senate bill No. 180 was indefinitely postponed.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 126, entitled, "An act to establish a State reform school for juvenile offenders," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments:

1. Amend printed bill by striking out section one and inserting in lieu thereof the following: There shall be established in this State an institution under the name and style of the Missouri Reform School, the object and purpose of which shall be the punishment, reformation and instruction of boys of more than eight and less than eighteen years of age, that may be committed and confined therein, according to the provisions of this act.

The amendment was read first and second times and agreed to.

2. Amend section two by inserting a comma between the words "trustees" and "whose," in the second line of printed bill.

The amendment was read first and second times and agreed to.

3. Amend section two by inserting between the words "aforesaid"

and "the," in the tenth line thereof, the following: not more than three members of said board shall belong to the same political party.

The amendment was read first and second times and agreed to.

4. Amend section four of printed bill by striking out the word "they," in the fourth line of said section, and inserting in lieu thereof the words "one member of said board," and by striking out the word "their," in the fifth (5) line of said section and inserting in lieu thereof the word "his."

The amendment was read first and second times and agreed to.

5. Amend section five of printed bill by inserting the word "they" between the semi-colon and the word "shall," in the third line of said section.

The amendment was read first and second times and agreed to.

6. Amend section six by striking out the word "for," where it occurs in the sixth and seventh lines of said section.

The amendment was read first and second times and agreed to.

7. Amend section eleven of printed bill by striking out the words "murder in the first degree," in the third line of said section, and insert in lieu thereof the words "a capital felony."

The amendment was read first and second times and agreed to.

8. Amend section sixteen by striking out the words "with the consent of said parent or guardian endorsed thereon," in the ninth and tenth lines; and the words "for reformation and instruction till he shall attain the age of twenty years," in the twelfth and thirteenth lines of said section.

The amendment was read first and second times and agreed to.

9. Amend section eighteen by striking out the word "trustees," in third line of said section, and inserting in lieu thereof the word "superintendent," and by striking out the words "the binding out or," in the fourth and fifth lines, and inserting in lieu thereof the word "the."

The amendment was read first and second times and agreed to.

10. Amend section 18 by adding the following: "Until such time as said reform school is self-supporting, the board of trustees shall require the counties from which boys are committed to said school to pay such sums for their maintenance as shall be necessary, not exceeding one dollar and fifty cents a week for each offender."

The amendment was read first and second times and agreed to.

11. Amend section 19 by striking out the word "required," in line six, and inserting in lieu thereof the word "pursued."

The amendment was read first and second times and agreed to.

12. Amend section 20 by striking out the word "and," in the fifth line, and inserting in lieu thereof the words "or by;" also, by striking

out the words "penitentiary not exceeding three years," and inserting in lieu thereof "county jail not exceeding one year."

The amendment was read first and second times and agreed to.

13. Amend section twenty-three by inserting the word "punishment," between the words "reception" and "confinement," in seventh and eighth lines of said section.

The amendment was read first and second times and agreed to.

14. Amend by striking out section twenty-four and inserting in lieu thereof the following: Section 24. To carry out the purposes of this act, there is hereby appropriated the sum of one hundred thousand dollars, out of any revenue fund in the treasury not otherwise appropriated; and no expenditures shall be made or liabilities incurred exceeding the aggregate amount of the appropriation herein made, and the donations that may be received as aforesaid.

Senator Hazell offered the following amendment to amendment No. 14, offered by the Committee on Criminal Jurisprudence to Senate bill No. 126 :

Amend amendment to section 24, in the fourth line, by striking out the words "one hundred," and inserting in lieu thereof the word "fifty."

The amendment to the amendment was read first and second times and agreed to.

The amendment, as amended, was adopted.

Senator Moran moved that the rules be suspended and Senate bill No. 126 be engrossed and printed, which was agreed to by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—31.

NO—Senator Smith.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senator Johnson of Madison.

Senator Allen submitted the following reports from the Committee on Corporations other than Railroad and Insurance Companies, which were read :

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 144, entitled "An act entitled an act to repeal an act to incorporate the town of Dallas, in Bollinger county, Missouri," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 214,

entitled "An act to authorize street railroad companies to change motive power on their roads," beg leave to report that they have carefully examined same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 142, entitled "An act to amend an act entitled 'An act to authorize any city containing more than twenty thousand and less than two hundred and fifty thousand inhabitants, existing by virtue of special or local laws, to extend its limits and to divide and re-district its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained,'" beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment:

Amend section 2, printed bill, by striking out in the fifth line of said section, the words "under the law," and by inserting in lieu thereof the words "within the meaning of the Constitution."

The amendment was read first and second times and agreed to.

Senator Sebree submitted the following report from the Committee on Justices of the Peace, which was read:

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred Senate bill No. 201, entitled "An act to amend chapter 18, Revised Statutes, 1879 of Missouri, entitled 'Of constables,' by adding a new section thereto, to be known as section 650a," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Hunter submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Joint and concurrent resolution No. 6, authorizing and instructing the committee to settle with the Auditor and Treasurer, to cancel vouchers, destroy warrants and enter settlement on the books of the Auditor and Treasurer, beg leave to report that they have carefully examined the same and recommend that it do pass.

Joint and concurrent resolution No. 6, authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer, to cancel vouchers, destroy warrants and enter settlement on the books of the Auditor and Treasurer, was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—31.

ABSENT—Senators Ryors and Webster—2.

ABSENT WITH LEAVE—Senator Johnson of Madison.

Senator Saltonstall submitted the following report from the Committee on Constitutional Amendments, which was read :

MR. PRESIDENT : Your Committee on Constitutional Amendments, to whom was referred Senate bill No. 124, entitled "An act to enforce compliance with the provisions of section 22 of article 12 of the State Constitution, and to repeal section 818 of article 2 of chapter 21 of the Revised Statutes of Missouri of 1879," beg leave to report that they have carefully examined the same and recommend that it be referred to Committee on Railroads and Internal Improvements.

Senate bill No. 124, was referred to the Committee on Railroads and Internal Improvements.

Senator McGinnis moved to reconsider the vote by which Senate bill No. 140 went to engrossment and printing, which was not agreed to.

Senate bill No. 140, entitled "An act to provide for the preventing of the evils of intemperance by local option in any county in this State, and in cities of three thousand inhabitants or more, by submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of such county or city; to provide penalties for its violation, and for other purposes," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Saltonstall, Seabourn, Sears, Sebree, Simrall, Sparks, Taggart and Wood—27.

NOES—Senators Johnson of Montgomery, Parcher, Sheldon, Smith and Webster—5.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senator Johnson of Madison.

Senator Wood offered the following amendment to the title, which was read and agreed to :

Amend title to Senate bill No. 140 by striking out the words "three thousand," and insert in lieu thereof the words "twenty-five hundred."

The title, as amended, was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed and lay that motion on the table. The latter motion prevailed.

On motion of Senator Jacobs, the Senate adjourned until tomorrow morning at 10 o'clock.

TWENTY-SECOND DAY—THURSDAY, February 3, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions were presented, asking the submission of a prohibitory amendment to the Constitution, which were referred to the Committee on Constitutional Amendments:

By Senator McGinnis, from citizens of St. Louis.

By Senator Saltonstall, from citizens of Pettis county.

By Senator Kelly, from citizens of St. Louis.

By Senator Seabourn, from citizens of Lawrence county.

By Senator Sebree, from citizens of Carroll county.

By Senator Sparks, from citizens of Bates county.

By Senator Mackey, from citizens of Sullivan county.

By Senator Sears, from citizens of Macon county.

By Senator Downing, from citizens of Knox county.

By Senator Taggart, from citizens of Harrison county; also, from citizens of Daviess county.

By Senator Wood, from citizens of Shelby county.

The following remonstrances against the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Claycomb, from citizens of Vernon county.

By Senator Allen, from citizens of Jackson county.

By Senator Johnson of Madison, from citizens of Iron county; also, from citizens of Wayne county.

By Senator Gideon, from citizens of Greene county; also, from citizens of Oregon county; also, from citizens of Madison county.

By Senator Mansfield, from citizens of Oregon county; also, from citizens of Dent county; also, from citizens of Phelps county.

Senator Sebree introduced Senate bill No. 249, entitled "An act to amend article 2, Revised Statutes of Missouri, 1879, entitled 'Offenses against the lives and persons of individuals,' by adding a new section thereto to be known as section 1282a," which was read first time and 75 copies ordered printed

Senator Seabee introduced Senate bill No. 250, entitled "An act in relation to witnesses attending court, their arrest and punishment," which was read first time and 75 copies ordered printed.

Senator Webster introduced Senate bill No. 251, entitled "An act to enable county courts to grade, gravel and macadamize roads in their respective counties," which was read first time and 75 copies ordered printed.

Senator Parcher introduced Senate bill No. 252, entitled "An act to amend section 5415 of chapter 96 of the Revised Statutes of Missouri, entitled 'Of ditches and drains,' which was read first time and 75 copies ordered printed.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 131, entitled "An act to amend section 4940, article 5, chapter 89, Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages;'"

Also, Senate bill No. 135, entitled "An act to amend section 2 of an act entitled 'An act to amend section 6772 of article 4, and section 6834 of article 6 of chapter 145 of the Revised Statutes of Missouri, relating to the assessment and collection of the revenue,' approved March 31, 1885;"

Also, Senate bill No. 104, entitled "An act relating to the shipment of live stock, grain and other articles of trade;"

Also, Senate bill No. 133, entitled "An act conferring certain powers upon cities whose population entitles them to be ranked as cities of the first and second classes, in relation to the inspection of live stock;"

Also, Senate bill No. 22, entitled "An act to repeal an act entitled 'An act in relation to the taxation of theatrical and minstrel performances by counties, villages and cities of the third and fourth classes, and in cities under special charters, and having less than five thousand inhabitants,' approved March 31, 1885;"

Also, Senate bill No. 91, entitled "An act to amend section 4 of an act entitled 'An act to amend chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations,' by adding a new article thereto, entitled 'Trust companies,' approved March 20, 1885;"

Also, Senate bill No. 81, entitled "An act to regulate appeals to the circuit court from township boards and courts inferior to the circuit court in counties having fifty thousand inhabitants or less;"

Also, Senate bill No. 218, entitled "An act to provide for the selection and acquisition of land whereon to erect county buildings, and to

prescribe the qualification for and the duration of the office of superintendent of such buildings;”

Also, Senate bill No. 33, entitled “An act to amend section 1367 of the Revised Statutes of the State of Missouri of 1879;”

Also, Senate bill No. 74, entitled “An act to amend section 3833, chapter 62 of the Revised Statutes of Missouri, entitled ‘Of recorders of deeds,’” beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies furnished to the Senators are correct.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 200, entitled “An act to amend section 929 of article 8 of the Revised Statutes of Missouri of 1879, entitled ‘Manufacturing and business companies,’” beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 179, entitled “An act to repeal section 1186 of chapter 23, article 5 of the Revised Statutes of Missouri of 1879, entitled ‘Courts of Record,’ and relating to the fees of judges of probate, and to enact a new section in lieu thereof, relating to the same subject,” beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments.

Amendment No. 1. Amend printed bill by striking out the words “four hundred,” in the 10th line, and insert the words “four hundred and fifty” in lieu thereof.

The amendment was read first and second times and agreed to.

No. 2. Amend printed bill by striking out the word “five,” in the 11th line, and insert the word “six” in lieu thereof.

The amendment was read first and second times and agreed to.

No. 3. Amend printed bill by striking out the words “six hundred,” in the 13th line, and insert in lieu thereof the words “seven hundred and fifty.”

The amendment was read first and second times and agreed to.

No. 4. Amend printed bill by striking out all between the word “dollars,” in the 13th line, and the word “in,” in the 19th line.

The amendment was read first and second times and agreed to.

No. 5. Amend printed bill by striking out the words “thirty-five,” and insert the word “twenty” in lieu thereof, in the 19th line.

The amendment was read first and second times and agreed to.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 92, entitled "An act to amend section 2 of an act entitled 'An act to regulate sales of real estate under mortgages and deeds of trust, and the manner of giving notice thereof,' approved March 27, 1885," beg leave to report that they have carefully examined the same and a majority recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend printed bill by striking out the words "such sales," in the sixth line.

The amendment was read first and second times and agreed to.

No. 2. Amend printed bill by striking out the word "made," in the sixth line, and inserting the word "given" in lieu thereof.

The amendment was read first and second times and agreed to.

No. 3. Amend printed bill by striking out the words "such sale," in the twenty-first and twenty-second lines.

The amendment was read first and second times and agreed to.

No. 4. Amended printed bill by striking out the word "made," in the twenty-second line, and insert the word "given" in lieu thereof.

The amendment was read first and second times and agreed to.

Senator Sebree submitted the following report from the Committee on Justices of the Peace, which was read:

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred Senate bill No. 212, entitled "An act to amend section 5622, chapter 103 of the Revised Statutes of 1879, entitled 'Of fees,' " beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Gideon, the further consideration of Senate bill No. 212 was indefinitely postponed.

Senator Sebree submitted the following report from the Committee on Justices of the Peace, which was read:

MR. PRESIDENT: Your Committee on Justices of the Peace to whom was referred Senate bill No. 210, entitled "An act to amend section 5622 of chapter 103, Revised Statutes, 1879, approved March 18, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment:

Amendment to Senate bill No. 210. Amend by adding at the end of said section the following words: "*Provided*, that this section shall not apply to cities having a population of 30,000 or more inhabitants."

The amendment was read first and second times and agreed to.

Senator Sebree submitted the following reports from the Committee on Justices of the Peace, which were read:

MR. PRESIDENT: Your Committee on Justices of the Peace, to

whom was referred Senate bill No. 24, entitled "An act entitled an act to amend section one (1) of an act to repeal section 2865 of chapter 44, article 3 of the Revised Statutes of the State of Missouri, 1879, in relation to the commencement of suits in justices courts, and enacting in lieu thereof a new section," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred Senate bill No. 107, entitled "An act to amend section 2804 of article 1, chapter 44, Revised Statutes of the State of Missouri of 1879, entitled 'Justices courts,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred Senate bill No. 207, entitled "An act to repeal section 5614, chapter 103 of Revised Statutes of Missouri of 1879," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend by striking out the following words in 23d line: "for attending each trial before justices, twenty five cents (25c).

The amendment was read first and second times and agreed to.

Amendment No 2. By striking out figure 10 (ten), in 21st line, and inserting in lieu thereof the figure 5 (five).

The amendment was read first and second times and agreed to.

Senator Moran submitted the following report from the Committee on Eleemosynary Institutions, which was read:

MR. PRESIDENT: Your Committee on Eleemosynary Institutions, to whom was referred Senate bill No. 167, entitled "An act to amend section 5878 of chapter 118, article 1 of the Revised Statutes of Missouri, 1879, entitled 'Of institutions,' by striking out certain words and inserting other words in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Eleemosynary Institutions, to whom was referred Senate bill No. 88, entitled "An act to appropriate money for the purpose of erecting additions and making other necessary improvements on Asylum No. 3, located at Nevada," beg leave to report that they have carefully examined the same and recommend that the substitute herewith submitted be adopted in lieu thereof.

The substitute for Senate bill No. 88 was read first and second times and adopted,

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to

whom was referred Senate bill No. 138, entitled "An act to amend section 1550 of the Revised Statutes of 1879," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 85, entitled "An act to prohibit the sale or giving away of intoxicating liquors to minors, etc.," beg leave to report that they have carefully examined the same and recommend that it do pass with amendment.

Amend by striking out the 8th and 9th lines of printed bill and inserting in lieu thereof the following: "of a misdemeanor, and on conviction shall be punished by a fine of not more than two hundred dollars, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment."

The amendment was read first and second times and agreed to.

Senator Proctor submitted the following report from the Committee on Appropriations, which was read:

MR. PRESIDENT: Your Committee on Appropriations, to whom was referred Senate bill No. 206, entitled "An act to pay to the county of McDonald school moneys improperly withheld from it for the year 1875," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendment.

Amendment No. 1. Amend printed bill by striking out the words and figures "One thousand four hundred and seventy-five dollars and 15 cents (\$1,475.15)" where they occur in the third and fourth lines of section one of said bill, and inserting in lieu thereof the following: "One thousand six hundred and twenty-two dollars and nine cents (\$1,622.09.)"

The amendment was read first and second times and agreed to.

Senator Smith offered the following concurrent resolution, which was read, and on motion of Senator Castleman, was laid on the table:

WHEREAS, There has been a concurrent resolution introduced and adopted in both bodies of the General Assembly, whereby a committee was appointed to visit the Agricultural College of the State to investigate its general condition, financially and otherwise; and,

WHEREAS, That such investigation is likely to require the services of a sergeant-at-arms to wait upon and attend such committee in its labors; therefore, be it

Resolved, By the Senate and House of Representatives, that the chairman be authorized to appoint a suitable person to act and serve as sergeant-at-arms for said committee, with its approval, if it be deemed necessary to have such officer.

Senator McGinnis offered the following resolution, which was read and adopted:

Resolved, That the State Auditor be and he is hereby requested to inform the Senate when his bi-ennial report will be laid upon the desks of the Senators for their information.

Senator Johnson of Montgomery offered the following resolution, which was adopted:

Resolved, That the folder and messenger be allowed to employ one assistant.

The President laid before the Senate a communication from the State Auditor, Hon. John Walker, which was read and 300 copies ordered printed. [See House Journal, pages 329 and 330.]

The following Senate bills were taken up, read the second time and referred to committees, as follows:

Senate bill No. 216, entitled "An act to increase the duties of the Board of Railroad Commissioners, changing the name of said board, providing for the organization of public warehouses, and to regulate the warehousing and inspection of grain in public warehouses in the State of Missouri," to the Committee on Railroads and Internal Improvements;

Senate bill No. 217, entitled "An act to repeal section 2953, article 6, chapter 44 of the Revised Statutes of Missouri for the year 1879, as amended by an act entitled 'An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' approved March 24, 1885, and to enact a new section in lieu thereof, to be known as section 2953," to Committee on Justices of the Peace;

Senate bill No. 219, entitled "An act to amend section 6986, Revised Statutes of Missouri, 1879," to Committee on Corporations other than Railroad and Insurance Companies;

Senate bill No. 220, entitled "An act to repeal section 7162 of article III., chapter 150, Revised Statutes of 1879, entitled 'Of schools,' and to insert a new section in lieu thereof, to be numbered 7162," to Committee on University, Public and Normal School Education;

Senate bill No. 221, entitled "An act to amend section one thousand and seventy-seven (1077), article two (2,) chapter twenty three (23) of the Revised Statutes of 1879, relating to the Supreme Court," to Committee on Judiciary;

Senate bill No. 222, entitled "An act to regulate the course of study in the public schools," to Committee on University, Public and Normal School Education;

Senate bill No. 224, entitled "An act relating to cities of second class," to Committee on Corporations other than Railroad and Insurance Companies;

Senate bill No. 225, entitled "An act to amend an act entitled 'An act to repeal section 807, chapter 21, article 2 of the Revised Statutes of Missouri, entitled 'Of railroads,' and to enact a new section in lieu thereof, so as to define what an 'easy grade' shall be under such act, and to prescribe what distance it shall be made," to Committee on Railroads and Internal Improvements;

Senate bill No. 226, entitled "An act to amend section 1851, article 17 of chapter 24 of the Revised Statutes of Missouri, entitled 'Proceedings before trial,'" to Committee on Criminal Jurisprudence;

Senate bill No. 227, entitled "An act to amend an act entitled 'An act to exempt certain property used exclusively for agricultural and horticultural societies from taxation,'" to Committee on Ways and Means;

Senate bill No. 228, entitled "An act to amend section 3376 of chapter 56 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of partition,'" to Committee on Judiciary;

Senate bill No. 229, entitled "An act to amend section four thousand and forty-three, Revised Statutes of 1879," to Committee on Corporations other than Railroads and Insurance;

Senate bill No. 271, entitled "An act to repeal an act approved March 31, 1885, entitled 'An act entitled an act to amend an act entitled 'An act to provide for the payment of wages of labor in lawful money of the United States,' approved March 26, 1881, and to enact a two new sections in lieu thereof,'" to Committee on Labor, Mines and Manufactories;

Senate bill No. 232, entitled "An act to provide for the prevention of accidents to railroad employes and others by requiring that switches, frogs and guard rails be properly blocked," to Committee on Railroads and Internal Improvements;

Senate bill No. 233, entitled "An to authorize county clerks to practice as attorneys and counselors at law," to Committee on Ways and Means;

Senate bill No. 234, entitled "An act to repeal an act entitled 'An act to amend section 2182 of chapter 28 of the Revised Statutes, relating to divorce,' and to re-enact section 2182 of chapter 28 of the Revised Statutes of Missouri, and to add one new section to chapter 28, to be known as section 2182a," to Committee on Criminal Jurisprudence;

Senate bill No. 235, entitled "An act to appropriate money for the improvement of the State capitol building," to Committee on Appropriations;

Senate bill No. 236, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing the opinions of the Supreme

Court and courts of appeals, and providing for distribution and sale thereof, approved March 31, 1885," to Committee on Judiciary ;

Senate bill No. 237, entitled "An act to provide for the establishment of a new Normal School District, by dividing all that portion of the State of Missouri lying south of the Missouri river, and known as Normal School District No. 1, into two districts, to be known hereafter as Normal School Districts No. 1 and No. 4 ; and also to establish a Normal school at or near Maryville, Nodaway county, State of Missouri, to be known as Normal School No. 4, and to provide for the erection of suitable buildings, and to appropriate money therefor, and to repeal all acts and parts of acts inconsistent herewith," to Committee on University, Public and Normal School Education ;

Senate bill No. 238, entitled "An act to amend section 1268 of article 2 chapter 24 of the Revised Statutes of the State of Missouri of 1879," to Committee on Criminal Jurisprudence ;

Senate bill No. 244, entitled "An act to amend section 3310 of the Revised Statutes of Missouri, 1879," to Committee on Judiciary ;

Joint and concurrent resolution No. 8, favoring local option, to Committee on Constitutional Amendments ;

Joint and concurrent resolution No. 9, to Committee of the Whole.

Senator McGinnis introduced Senate bill No. 253, entitled "An act to provide for placing the statues of Thos. H. Benton and Francis P. Blair, junior, in the National Hall of Statuary in Washington," which was read first time and 75 copies ordered printed.

Senate bill No. 10 was laid over informally.

Senate bill No. 14, entitled "An act authorizing county courts in counties now containing or that may hereafter contain one or more graded roads, to macadamize the same, and providing the manner of doing such work," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Sparks, Taggart, Webster and Wood—29.

NO—Senator Simrall.

ABSENT—Senators Proctor, Ryors and Smith—3.

ABSENT WITH LEAVE—Senator Jacobs.

The title was read and agreed to.

On motion of Senator Allen to reconsider the vote by which the bill passed and lay that motion on the table, the latter motion prevailed.

Senate bill No. 59, entitled "An act providing for the appointment of a county counselor in counties now containing or that hereafter may contain seventy-five thousand inhabitants or more, prescribing their qualifications and duties, and providing for their compensation," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—30.

ABSENT—Senators Ketchum, Ryors and Webster—3.

ABSENT WITH LEAVE—Senator Jacobs.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelley, Kerwin, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—29.

NO—Senator McGinnis.

ABSENT—Senators Ketchum, Ryors and Webster—3.

ABSENT WITH LEAVE—Senator Jacobs.

The title was read and agreed to.

On motion of Senator Allen to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 47 was laid over informally.

Senate bill No. 60, entitled "An act to amend chapter 59, article 7 of the Revised Statutes of Missouri, 1879, entitled 'Of practice in civil cases,' by adding a new section thereto, to be known as section 3662a," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Davisson, Gideon, Harmon, Hazell, Johnson of Madison, Johnson of Montgomery, Kelly, Parcher, Seabourn, Sears, Sebree, Sheldon, Sparks, Taggart, Webster and Wood—19.

NOES—Senators Claycomb, Downing, Hunter, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Simrall and Smith—14.

ABSENT WITH LEAVE—Jacobs.

The title was read and agreed to.

On motion of Senator Hazell to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senator Simrall moved to reconsider the vote by which the emer-

gency clause to Senate No. 73 was declared lost. The motion was agreed to.

The emergency clause was read and failed to pass by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Parcher, Saltonstall, Sears, Sebree, Sheldon, Simrall, Taggart and Wood—21.

NOES—Senators Allen, Davisson, Gideon, Ketchum, McGinnis, Moran, Proctor, Ryors, Seabourn, Smith, Sparks and Webster—12.

ABSENT WITH LEAVE—Senator Jacobs.

Senate bill No. 76, entitled "An act to amend section 2 of article 1 of chapter 1 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of the administration of the estates of deceased persons,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart Webster and Wood—32.

ABSENT—Senator Parcher.

ABSENT WITH LEAVE—Senator Jacobs.

The title was read and agreed to.

On motion of Senator Claycomb to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senator Claycomb was relieved from committee appointed to investigate the State Agricultural Farm.

Senate bill No. 79, entitled "An act entitled an act to declare the true meaning and intent of article nine, section 1666, Revised Statutes of 1879, entitled 'Miscellaneous provisions and matters of practice,'" by adding a new section thereto, to be known as section 1666a," was read third time and failed to pass by the following vote:

AYES—Senators Hazell, McGinnis, Parcher, Sears, Sebree, Smith, Webster and Wood—8.

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sheldon, Simrall, Sparks and Taggart—24.

ABSENT—Senator Mansfield.

ABSENT WITH LEAVE—Senator Jacobs.

On motion of Senator Ryors, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

The following Senate bills were taken up and ordered engrossed and printed :

Senate bill No. 3, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor ;' "

Also, Senate bill No. 26, entitled "An act entitled an act to amend an act entitled 'A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products ;' "

Also, substitute for Senate bill No. 38, entitled "An act to amend section 1904 of article 18 of chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure ;' "

Also, Senate bill No. 95, entitled "An act appropriating money to properly equip the State Agricultural College and Farm of Missouri ;"

Also, Senate bill No. 102, entitled "An act to repeal section 1881 of chapter 24, article 27 of the Revised Statutes of Missouri of 1879, in relation to changes of venue in criminal cases, and enacting a new section in lieu thereof relating to same subject ;"

Also, Senate bill No. 123, entitled "An act to amend section 3229 of article 2, chapter 48 of the Revised Statutes of the State of Missouri, entitled 'Limitation of actions ;' "

Also, Senate bill No. 141, entitled "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees ;' "

Senate bill No. 120 was laid over informally.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 142, entitled "An act to amend an act entitled 'An act to authorize any city containing more than twenty thousand and less than two hundred and fifty thousand inhabitants, existing by virtue of special or local laws, to extend its limits, and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained ;' "

Also, Senate bill No. 144, entitled "An act entitled an act to repeal an act to incorporate the town of Dallas, in Bollinger county, Missouri ;"

Also, Senate bill No. 172, entitled "An act of limitations of actions on dower and the assignment of dower ;"

Also, Senate bill No. 176, entitled "An act amend chapter 103 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of fees,' by adding thereto a new section, to be known as section 5650a ;"

Also, Senate bill No. 182, entitled "An act to amend section 171, article 8, chapter 1, Revised Statutes of 1879, entitled 'Administration ;'"

Also, Senate bill No. 186, entitled "An act to amend section 5148 of chapter 93 of the Revised Statutes of Missouri, entitled 'Of coroners and inquests,' by striking out certain words therefrom ;"

Also, Senate bill No. 187, entitled "An act to amend section 5637 of chapter 103 of the Revised Statutes of 1879 ;"

Also, Senate No. 192, entitled "An act to authorize business, benevolent and miscellaneous associations to carry on the business of life and accident insurance on the assessment plan ;"

Also, Senate bill No. 193, entitled "An act to repeal an act entitled 'An act to amend section 5627 of chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees,' approved March 21, 1883, and to enact a new section in lieu thereof ;'"

Also, Senate bill No. 197, entitled "An act to amend article 2 of chapter 48 of the Revised Statutes of Missouri, entitled 'Of the limitation of actions,' by adding thereto a new section, to be known as section 3253½, relating to the deduction of the time that setoff, counterclaim, etc., is pending, from the statutory period of limitation ;"

Also, Senate bill No. 201, entitled "An act to amend chapter 18, Revised Statutes, 1879, of Missouri, entitled 'Of constables,' by adding a new section thereto, to be known as section 650a ;"

Also, Senate bill No. 203, entitled "An act to repeal section 1 of the sessions acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record, approved April 2, 1883, and to enact new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit ;"

Also, Senate bill No. 208, entitled "An act to provide for completing the records of the probate courts in counties where former judges and clerks thereof have kept minutes of the proceedings thereof but have failed to enter such proceedings at large in the records of said court ;"

Also, Senate bill No. 211, entitled "An act to amend an act entitled 'An act to amend section 3 of 'An act to amend sections 1127, 1135 and

1165 of the Revised Statutes, 1879, entitled 'Circuit courts,' and attaching the county of Taney to the 21st judicial circuit,' approved March 22, 1883.

Also, Senate bill No. 214, entitled "An act authorizing street railroad companies to change the motive power on their roads;"

Also, Senate bill No. 215, entitled "An act to provide for service of process in proceedings to contest corporate elections;"

Also, Senate bill No. 63, entitled "An act to regulate the sale of morphine and any of its salts, and providing a penalty;"

Also, Senate bill No. 129, entitled "An act entitled an act to amend chapter 38, Revised Statutes of Missouri, 1879, entitled 'Of habeas corpus,' by adding two new sections thereto, to be known as section 2688*a* and section 2688*b*;"

Also, Senate bill No. 98, entitled "An act to amend section one of an act entitled 'An act to amend article 2, entitled 'Railroad companies,' of Revised Statutes of 1879, by adding two new sections thereto,' approved March 31, 1885, and to add a new section thereto, to be known as section three."

Senate bill No. 83, entitled "An act to repeal certain parts of an act entitled 'An act to amend section 1159 of article 4, chapter 23 of the Revised Statutes of Missouri of 1879, relating to courts of record, approved January 31, 1885,' " was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstail, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—32.

ABSENT—Senator Kelly.

ABSENT WITH LEAVE—Senator Jacobs.

The title was read and agreed to.

On motion of Senator Seaborn to reconsider the vote by which the bill passed and to lay that motion on the table, the latter motion prevailed.

On motion of Senator Downing, Senate bill No. 97 was indefinitely postponed.

Senate bill No. 80 was called up and Senator Sebree offered the following amendment, which was read first and second times and agreed to:

Senate bill No. 80 be amended by inserting after the word "degree" in the 16th line, the following words: "less than murder in the first degree."

On motion of Senator Castleman the bill, No. 80, as amended, was indefinitely postponed.

Senate bill No. 84 was called up and Senator Simrall moved to reconsider the vote by which Senate bill No. 84 was ordered engrossed and printed. The motion was agreed to.

Senate bill No. 87, entitled "An act entitled an act to establish an appellate court to be known as the Springfield Court of Appeals, the appointment and election of three judges, and their tenure of office, and providing for the appointment of officers and attendants of said court, and their compensation," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Davisson, Downing, Gideon, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Ryors, Seabourn, Sheldon, Smith, Webster and Wood—19.

NOES—Senators Castleman, Claycomb, Harmon, Hazell, Hunter, Johnson of Madison, Mackey, Saltonstall, Sears, Simrall, Sparks and Taggart—12.

ABSENT—Senators Proctor and Sebree—2.

ABSENT WITH LEAVE—Senator Jacobs.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed and to lay that motion on the table, which was carried by the following vote:

AYES—Senators Allen, Ball, Davisson, Gideon, Harmon, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sebree, Sheldon, Smith, Webster and Wood—21.

NOES—Senators Castleman, Claycomb, Downing, Hazell, Hunter, Johnson of Madison, Mackey, Saltonstall, Sears, Simrall, Sparks and Taggart—12.

ABSENT ON LEAVE—Senator Jacobs.

Senate bill No. 89, entitled "An act to amend section 7095, article 1, chapter 150, Revised Statutes of Missouri of 1879, entitled 'Of schools,'" was taken up, and on motion of Senator Hazell, its consideration was postponed until Tuesday, February 8, to be taken up in connection with Senate bill No. 90, at the hour of 11 o'clock.

The President laid before the Senate the following communication from the State Auditor, which was read:

CITY OF JEFFERSON, February 3, 1887.

HON. A. P. MOREHOUSE, *President of the Senate*:

DEAR SIR: I have the honor to acknowledge the receipt of the following resolution: "*Resolved*, That the State Auditor be and is hereby requested to inform the Senate when his biennial report will be laid upon the desks of Senators for their information."

Replying thereto, permit me to say that copies of the report sufficient to supply the Senate and House will be placed upon the desks of members on Monday, the 7th day of February.

Very respectfully,

JOHN WALKER,

State Auditor.

Senate bill No. 94, entitled "An act to establish an academic department in connection with Lincoln Institute for the higher education of the negro race," was taken up, read third time and passed by the following vote:

AYES—Senators Ball, Gideon, Hazell, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Webster and Wood—18.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Harmon, Hunter, Johnson of Madison, Kelly, Mackey, Saltonstall, Simrall, Smith, Sparks and Taggart—15.

ABSENT ON LEAVE—Senator Jacobs.

The title was read and agreed to.

Senator Proctor moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senator Ryors presented a remonstrance from citizens of Osage county, which was referred to the Committee on Constitutional Amendments.

Senator Wood introduced Senate bill No. 254, entitled "An act to repeal section 5998 article 3, chapter 119 of the Revised Statutes of Missouri, 1879, entitled 'Of insurance,' and enact in lieu thereof a new section," which was read first time and 75 copies ordered printed.

Senator Ryors introduced Senate bill No. 255, entitled "An act to amend section 1030, article 1, chapter 23, Revised Statutes of Missouri, entitled 'General powers and duties of courts,' " which was read first time and 75 copies ordered printed.

Senator Simrall offered the following resolution, which was read and adopted:

WHEREAS, There has been a concurrent resolution introduced and adopted in both bodies of the General Assembly, whereby a committee was appointed to visit the Agricultural College of the State to investigate the general condition, financially and otherwise; and,

WHEREAS, That such investigation is likely to require the services of a sergeant-at-arms to wait upon and attend such committee in its labors; therefore, be it

Resolved by the Senate and House of Representatives, That the committee be authorized to appoint a suitable person to act and serve

as sergeant-at-arms for said committee with its approval, if it be deemed necessary to have such officer, and to be an assistant of the sergeant-at-arms of this body.

On motion of Senator Ball, the Senate adjourned until to-morrow morning at 10 o'clock.

TWENTY-THIRD DAY—FRIDAY, February 4, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Claycomb, from citizens of Barton county; also, from citizens of Jasper county.

By Senator Webster, from citizens of St. Louis county.

By Senator Sears, from citizens of Macon county; also, from citizens of Schuyler county.

By Senator Taggart, from citizens of Daviess county; also, from citizens of Harrison county.

By Senator Seabourn, from citizens of Lawrence county.

By Senator Jacobs, from citizens of Livingston county; also, from citizens of Grundy county.

By Senator Davisson, from citizens of St. Louis.

By Senator Sheldon, from citizens of St. Clair county.

By Senator Parcher, from citizens of Nodaway county.

By Senator Mackey, from citizens of Sullivan county.

By Senator Kelly, from citizens of St. Louis.

By Senator Harmon, from citizens of Johnson county.

By Senator Sparks, from citizens of Henry county.

By Senator Sebree, from citizens of Carroll county ; also, from citizens of Caldwell county.

By Senator Ball, from citizens of Audrain county.

The following remonstrances were presented against the submission of a prohibitory amendment, which were referred to the Committee on Constitutional Amendments:

By Senator Seabourn, from citizens of Barry county.

By Senator Allen, from citizens of Jackson county.

By Senator Webster, from citizens of Jefferson county.

Senator Sears presented a petition from citizens of Macon county, asking the appointment of a person to superintend public schools, which was referred to Committee on University, Public and Normal School Education :

The following petitions against the employment of children in mines, etc., were presented and referred to the Committee on Labor, Mines and Manufactories :

By Senator Johnson, from citizens of Madison county.

By Senator Claycomb, from Knights of Labor.

By Senator Sears, from citizens of Macon county.

Senator Kerwin presented a petition from citizens of St. Louis against the passage of any law authorizing the manufacture of school books by the State, which was referred to the Committee of the Whole, along with Senate bill No. 69, and was made a special order for Wednesday, February 9.

Senator Sparks introduced Senate bill No. 256, entitled "An act to provide payment to county clerks for making out back tax books under provisions of an act of the General Assembly of the State of Missouri, approved March 31, 1885," which was read first time and 75 copies ordered printed.

Senator Allen introduced Senate bill No. 257, entitled "An act in relation to releasing mortgages and deeds of trust," which was read first time and 75 copies ordered printed.

Senate bill No. 84, entitled "An act to furnish the county of Butler the Supreme Court and the courts of appeals reports from volume sixteen ; also, the Revised Statutes of 1879, and session laws of 1881, 1883 and 1885," was taken up.

Senator Simrall offered the following amendment, which was read first and second times and agreed to :

Amend Senate bill No. 84. 1. By striking out the preamble.

2. By striking out the words "county of Butler," in second line, and by inserting the following words: "to the counties of this State."

The amendment was read first and second times and agreed to.

3. By striking out the word "county," in the 3d line, and inserting the word "counties."

The amendment was read first and second times and agreed to.

4. By adding to section 7 the following words: "When the books of any such county, already furnished, have been lost by fire."

The amendment was read first and second times and agreed to.

The bill, as amended, was ordered engrossed and printed.

Senate bill No. 92 was laid over informally.

The following Senate bills were taken up and ordered engrossed and printed:

Senate bill No. 24, entitled "An act entitled an act to amend section one of 'An act to repeal section 2865 of chapter 44, article 3 of the Revised Statutes of the State of Missouri, 1879, in relation to the commencement of suits, service of process, etc., in justices courts, and enacting in lieu thereof a new section, approved March 22, 1883;'"

Senate bill No. 85, entitled "An act to prohibit the sale or giving away of intoxicating liquor to minors, and to prohibit the purchasing or procuring for such minors any such intoxicating liquor, and to prescribe a punishment therefor;'"

Senate bill No. 88, entitled "An act to appropriate money for the purpose of erecting additions and making other necessary improvements to Lunatic Asylum No. Three (3) located at Nevada, Missouri;'"

Senate bill No. 101, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees;'"

Senate bill No. 138, entitled "An act to amend section fifteen hundred and fifty of article eight of chapter twenty-four of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure;'"

Senate bill No. 167, entitled "An act to amend section 5878 of chapter 118, article 1 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of institutions,' by striking out certain words and inserting other words in lieu thereof;'"

Senate bill No. 179, entitled "An act to repeal section 1187 of chapter 23, article 5 of the Revised Statutes of Missouri of 1879, entitled 'Courts of record,' and relating to the fees of judges of probate, and to enact a new section in lieu thereof, relating to the same subject;'"

Senate bill No. 200, entitled "An act to amend section 929 of ar-

article 8 of the Revised Statutes of Missouri of 1879, entitled 'Manufacturing and business companies;'"

Senate bill No. 206, entitled "An act to pay to the county of McDonald school moneys improperly withheld from it for the year 1875;"

Senate bill No. 207, entitled "An act to repeal section five thousand six hundred and fourteen of chapter 103 of the Revised Statutes of Missouri for the year 1879, and to enact a new section in lieu thereof, concerning constables' fees;"

Senate bill No. 210, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees.'"

A communication was received from the Governor through his private secretary, Mr. Yantis.

Senator Ball submitted the following report from the Committee on Engrossed bills, which was read :

MR. PRESIDENT : Your Committee on Engrossed Bills, to whom was referred Senate bill No. 96, entitled "An act to amend chapter 25 of the Revised Statutes of 1879, entitled 'Of damages and contributions in actions of tort,' by adding a new section thereto, to be known as section 2121a," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Sparks submitted the following report from the Committee on Militia, which was read :

MR. PRESIDENT : Your Committee on Militia, to whom was referred Senate bill No. 68, entitled "An act entitled an act for the organization of the State military forces, and appropriating money for the same," beg leave to report that they have carefully examined the same and recommend that the accompanying substitute do pass.

Substitute for Senate bill No. 68, was ordered printed for information.

The President laid before the Senate the following communications from the Governor, which were read :

CITY OF JEFFERSON, February 4, 1887.

SIR: I have the honor to inform the Senate that I have appointed Watson J. Ferry and James Lillis to the office of Police Commissioner for the City of Kansas for a term of three years, commencing February 9, 1887, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

CITY OF JEFFERSON, February 4, 1887.

SIR: I have the honor to inform the Senate that I have appointed James M. Duncan of Pleasant Hill, to the office of Regent of Normal School No. 2, to fill vacancy in a term ending January 1, 1889, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

Senator McGinnis moved that the Senate take up the communications from the Governor, which was carried.

Senator Allen moved that the Senate advise and consent to the appointment of Watson J. Ferry and James Lillis as Police Commissioners of Kansas City, Missouri. The appointments were confirmed by the Senate by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Webster—30.

ABSENT—Senators Ryors.

ABSENT WITH LEAVE—Senators Proctor, Smith and Wood—3.

Leave of absence granted to Senators Smith, Proctor and Wood until Monday.

Senator Sparks moved that the Senate confirm the appointment of James M. Duncan to the office of Regent of Normal School No. 2, to fill vacancy. The appointment was confirmed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Webster—30.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Proctor, Smith and Wood—3.

Senate bill No. 52, entitled "An act to amend section 1044, article 1, chapter 23, Revised Statutes of Missouri, entitled 'Of courts of record,'" was read third time and failed to pass by the following vote:

AYES—Senators Ball, Downing, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mansfield, Moran, Sheldon and Taggart—10.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Kelly, Ketchum, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Simrall, Sparks and Webster—19.

ABSENT—Senators Jacobs and Mackey—2.

ABSENT WITH LEAVE—Senators Proctor, Smith and Wood—3.

Senate bill No. 35 was called up and laid over informally.

Senator McGinnis arose to a question of privilege.

Senator Sebree offered the following resolution, which was read and adopted :

WHEREAS, There appears in the St. Joseph Gazette of February 2, 1887, a communication seriously reflecting upon the character and integrity of one of the members of this body, Mr. McGinnis, as a Senator, therefore, be it

Resolved, by the Senate, That we disown any belief in the truth of such inuendo and charges in said communication, and express the belief that they are libelous and slanderous upon his official character and integrity as a senator of this body.

Senate bill No. 22, entitled "An act to repeal an act entitled 'An act in relation to the taxation of theatrical and minstrel performances by counties, villages and cities of the third and fourth classes, and in cities under special charters and having less than five thousand inhabitants,' approved March 31, 1885," was read third time and failed to pass by the following vote :

AYES—Senators Ball, Castleman, Davisson, Harmon, Hunter, Johnson of Madison, Kelly, Ketchum, Mackey, Saltonstall, Seabourn, Sears, Sheldon and Simrall—14.

NOES—Senators Allen, Claycomb, Downing, Gideon, Hazell, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mansfield, Moran, Parcher, Ryors, Sebree, Sparks and Taggart—16.

ABSENT—Senator Webster.

ABSENT WITH LEAVE—Senators Proctor, Smith and Wood—3.

Senate bill No. 113 was called up and Senator Ball moved to reconsider the vote by which Senate bill No. 113 was ordered engrossed and printed, which was carried.

Senator Ball offered the following amendment, which was read first and second times and agreed to :

Amend printed bill by striking out lines 1, 2, 3 and 4, and substituting in lieu thereof the following: Section 1. That section 5 of an act entitled 'An act to amend sections 6685, 6688, 6695, 6699, 6705, 6707, 6716, 6717 and 6718 of article 2 of chapter 145 of the Revised Statutes, entitled, 'Assessors and the assessment of property,' by changing the time of assessment from August first to June first, and to provide for the listing and assessment of real estate biennially, approved March 24, 1881, is hereby repealed and the following new section adopted in lieu thereof: "

Senator Ball offered the following amendment :

Amend by striking out section 6705 and insert 5.

The amendment was read first and second times and agreed to.

The bill, as amended, was ordered engrossed and printed.

Senator Ketchum was reported sick.

Senate bill No. 118, entitled "An act allowing jurors who have been found by the court to be qualified to sit as jurors in cases provided for in the first two subdivisions of section one thousand nine hundred of chapter one hundred and three of the Revised Statutes of Missouri of 1879, per diem and mileage," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Ryors, Seabourn, Sears, Sheldon, Simrall, Sparks, Taggart and Webster—24.

NOES—Senators Castleman, Claycomb, Harmon, Moran, Saltonstall and Sebree—6.

ABSENT WITH LEAVE—Senators Proctor, Smith and Wood—3.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed and to lay that motion on table. The latter motion was lost by the following vote :

AYES—Senators Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Kelly, McGinnis, Mansfield, Seabourn, Sears, Sheldon and Webster—13.

NOES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Kerwin, Mackey, Moran, Ryors, Saltonstall, Sebree, Smith, Sparks and Taggart—15.

ABSENT—Senators Ball and Parcher—2.

ABSENT WITH LEAVE—Senators Proctor, Smith and Wood—3.

SICK—Senator Ketchum.

Senate bill No. 132, entitled "An act to pay to the county of Livingston school moneys improperly withheld from it for the year 1875," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Moran, Parcher, Ryors, Seabourn, Sebree, Sheldon, Simrall, Taggart and Webster—27.

NOES—Senators Saltonstall and Sears—2.

ABSENT WITH LEAVE—Senators Proctor, Smith, Sparks and Wood—4.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed.

Senator Allen moved to lay that motion on the table. The latter motion was agreed to.

On motion of Senator Parcher, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 115, entitled "An act defining the duties of prosecuting officers in criminal courts of this State in cities having or which may hereafter have 200,000 inhabitants, forbidding certain acts by said officers, and providing punishment, and, in certain cases, providing for suspension of such officers and the appointment of their successors, etc.," beg leave to report that they have carefully examined the same and recommend that it do pass with the following amendment :

Amendment recommended by Committee on Criminal Jurisprudence to Senate bill No. 115 :

Amend by striking out of printed bill all the matter from and including the word "a," in the third line of the first section number 7 thereof to and including the word "judgment," in the fifth line of section 8 thereof.

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 226, entitled "An act to amend section 1851, article 17, chapter 24 of the Revised Statutes of Missouri, entitled 'Proceedings before trial,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 51, entitled "An act to amend section 1308, article 3, chapter 24 of the Revised Statutes of Missouri of 1879, concerning the punishment for grand larceny," beg leave to report that they have carefully examined the same and recommend that it do pass with the following amendments :

Amendment No. 1. Amend the amended section of printed bill by striking out in the thirty-third line the words "less than ten years nor."

Amendment No. 2. Amend amended section of printed bill by striking out the word "less," in the thirty-sixth line, and inserting the word "more" in lieu thereof.

Amendment No. 3. Amend amended section of printed bill by striking out the words "for life," in the thirty-eighth line and inserting in lieu thereof the words "not more than fifty years."

The amendments were read first and second times and agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 18, entitled "An act to amend section 5437 of chapter 98 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of dramshops,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Allen offered a substitute for Senate bill No. 18, which was read first time and withdrawn.

Senator Allen moved that Senate bill No. 18 be indefinitely postponed, which was agreed to.

Senator Hunter submitted the following reports from the Committee on Ways and Means, which were read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 227, entitled "An act to amend an act entitled 'An act to exempt certain property used exclusively for agricultural and horticultural societies from taxation,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 53, entitled "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue,'" beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment :

Amend by inserting between the words "jurisdiction" and "and," in the twenty-second line of printed bill, the following: "And in case the owner of the land is compelled to bring suit to remove a cloud upon his title erroneously sold by the collector for alleged non-payment of taxes which have been paid to said collector and not truly returned paid by him. The said owner may sell and recover of said collector or his bond, as damages, all costs of said suit and a reasonable attorney's fee, to be taxed by the court as costs in the case."

The amendment was read first and second times and agreed to.

Senator Hunter submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 93, entitled "An act to guard more sacredly the money and property belonging to the various counties in this State, and to insure the most careful management of county affairs," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments :

Amendment No. 1. Amend section 1 by inserting after the word "petition," in 3d line of said section, the following words in brackets: "stating in said petition the facts requiring the investigation;" also insert after the word "petitioned," in 5th line, the following words: "and being satisfied of the reasonable necessity for such action;" also insert after the word "all," in 8th line of said section, the following words: "or any of."

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend section 5 by adding the following words: "said court of investigation shall not sit to exceed sixty days, at the discretion of the court appointing same."

The amendment was read first and second times and agreed to.

Senator Hunter submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 145, entitled "An act to amend section 1 of an act entitled 'An act to amend section 6879 and to repeal section 6880 and enact a new section in lieu thereof,' and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads;' also enact a new section numbered 6886a; also an emergency clause, approved March 17, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 33, entitled "An act to amend section 1367 of the Revised Statutes of the State of Missouri of 1879," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, McGinnis, Mackey, Mansfield, Moran, Ryors, Saltonstall, Seabourn, Sears, Sebree, Simrall, Sparks and Taggart—23.

ABSENT—Senators Parcher and Sheldon—2.

ABSENT WITH LEAVE—Senators Downing, Jacobs, Kelly, Kerwin, Ketchum, Proctor, Smith, Webster and Wood—9.

The title was read agreed to.

Senators Jacobs and Downing granted leave of absence until Monday.

Senator Hazell called up Senate bill No. 74, and moved to reconsider the vote by which the bill was ordered engrossed and printed, which was agreed to.

Senator Hazell offered the amendment, which was read first and second times and agreed to :

Amend section 3833, in the 11th line, by striking out the words "in which the office of the recorder of deeds and clerks of the circuit court are separate," where they occur between the word "county," in the 11th line, and the word "shall," in 13th line of said section, and insert in lieu thereof the words "and the circuit clerk in counties in which the circuit clerk is *ex officio* recorder."

Senator Hazell offered the following amendment, which was read first and second times and agreed to :

Amend by adding a new section, to be known as section 3833*a*, as follows : All acts and parts of acts in conflict with this act are hereby repealed.

Senator Sparks offered the following amendment, which was read first and second times and agreed to :

Amend section 3833 of Senate bill No. 74 by striking out in the 27th line all after the word "office."

The bill was laid over informally.

Senator Allen moved to reconsider the vote by which Senate bill No. 33 passed, and to lay that motion on the table, which was agreed to.

Senate bill No. 81, entitled "An act to regulate appeals to the circuit court from township boards and courts inferior to the circuit court in counties having fifty thousand inhabitants or less," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, McGinnis, Mackey, Mansfield, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks and Taggart—25.

ABSENT WITH LEAVE—Senators Downing, Jacobs, Kelly, Kerwin, Ketchum, Proctor, Smith, Webster and Wood—9.

The title was read and agreed to.

Senate bill No. 91 was laid over informally.

Senate bill No. 104, entitled "An act relating to the shipment of live stock, grain and other articles of trade," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson,

Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, McGinnis, Mackey, Mansfield, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks and Taggart—26.

ABSENT WITH LEAVE—Senators Downing, Jacobs, Kerwin, Ketchum, Proctor, Smith, Webster and Wood—8.

Senator Harmon offered the following substitute for the title, which was read and agreed to.

An act to repeal an act entitled "An act relating to the shipment of live stock, grain and other articles, approved March 12, 1881; also, an act entitled 'An act to amend section 2 of an act, entitled 'An act relating to the shipment of live stock, grain and other articles of trade,' approved March 22, 1883; also, an act entitled 'An act to repeal section 3 of an act relating to the shipment of live stock, grain and other articles of trade, approved March 12, 1881,' approved March 31, 1885, and to enact an act in lieu of said acts."

Senator Parcher moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion was agreed to.

Senate bill No. 131 was laid over informally.

Senate bill No. 133, entitled "An act conferring certain powers upon cities whose population entitles them to be ranked as cities of the first and second classes, in relation to the inspection of live stock," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, McGinnis, Mackey, Mansfield, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks and Taggart—26.

ABSENT WITH LEAVE—Senators Downing, Jacobs, Kerwin, Proctor, Smith, Webster and Wood—7.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator McGinnis moved the reconsideration of the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 135, entitled "An act to amend section 2 of an act entitled 'An act to amend section 6772 of article 4, and section 6834 of article 6 of chapter 145 of the Revised Statutes of Missouri, relating to 'Of the assessment and collection of the revenue,' approved March 31, 1885," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Davisson, Gideon, Hazell, Hunter, Johnson of Madison, McGinnis, Mansfield, Sears and Sheldon—10.

NOES—Senators Ball, Castleman, Claycomb, Harmon, Johnson of Montgomery, Kelly, Mackey, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sebree, Simrall, Sparks and Taggart—16.

ABSENT WITH LEAVE—Senators Downing, Jacobs, Kerwin, Ketchum, Proctor, Smith, Webster and Wood—8.

Senate bill No. 218 was laid over informally.

Senator Sebree moved to reconsider the vote by which Senate bill No. 47 was ordered engrossed and printed. The motion was agreed to.

Senator Sebree offered the following amendment to Senate bill No. 47, which was read first and second times and agreed to :

Amend Senate bill No. 47 by adding after the word "law," in the third line, the following words: "*Provided*, this section shall not apply to the mayor of any such city or town in which the mayor gets a salary only for his services," and by striking out all of said section three after the word "law," in the third line.

Senator Sebree moved the reconsideration of the vote by which the foregoing amendment was adopted. The motion was agreed to.

Senator Sebree withdrew the amendment.

Senator Ball offered the following amendment, which was read :

Amend Senate bill No. 47 by striking out all of sections 3 and 4.

Senator Simrall offered the following amendment, which was read first and second times and agreed to :

Amend Senate bill No. 47 by striking out section 3 of printed bill.

The bill, as amended, was referred to Committee on Corporations other than Railroads and Insurance.

Senator Seabourn granted leave of absence for one week.

Senator Sears granted leave of absence until next Tuesday.

Senator Moran offered the following resolution, which was lost :

Resolved, That the doorkeeper be entitled to two clerks, one to have charge of the mails, the other of the Senate room during the night time.

On motion of Senator Allen, the Senate adjourned until Monday at 2 o'clock P. M.

TWENTY-FOURTH DAY—MONDAY, February 7, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

The following petitions, asking the submission of a prohibitory amendment to the Constitution, were presented and referred to the Committee on Constitutional Amendments :

By Senator Claycomb, from citizens of Barton county ; also, from citizens of Jasper county ; also, from citizens of various parts of the State.

By Senator Sebree, from citizens of Carroll county.

By Senator Sheldon, from citizens of Cedar county.

By Senator Taggart, from citizens of Daviess county.

By Senator Downing, from citizens of Clark county ; also, from citizens of Lewis county.

By Senator Johnson of Madison, from citizens of Butler county.

By Senator Harmon, from citizens of Johnson county.

By Senator Saltonstall, from citizens of Saline county.

By Senator Parcher, from citizens of Nodaway county.

By Senator Mansfield, from citizens of Crawford county.

By Senator Sparks, from citizens of Bates county ; also, from citizens of Cass county.

By Senator Sheldon, from citizens of Dallas county.

By Senator Mackey, from citizens of Sullivan county.

The following remonstrances against the submission of a prohibitory amendment to the Constitution, were presented and referred to Committee on Constitutional Amendments :

By Senator Claycomb, from citizens of Jasper county.

By Senator Allen, from citizens of Jackson county.

By Senator Castleman, from the Trades Unions of St. Louis.

By Senator Mansfield, from citizens of Laclede county ; also, from citizens of Dent county ; also, from citizens of Phelps county.

Senator Sheldon presented a petition from citizens of St. Clair county asking legislation providing for the superintendence of public schools, which was referred to Committee on University, Public and Normal School Education.

Senator Parcher presented a petition from citizens of Northwest

Missouri asking legislation prohibiting the pooling of earnings by railroads, which was referred to Committee on Railroads and Internal Improvements.

Senator Allen introduced Senate bill No. 258, entitled "An act to amend section one of an act to amend section 13 of an act entitled 'An act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof,' approved February 2, 1871, changing the time of holding court and providing for changes of same in said county, approved February 8, 1872," which was read first time and ordered not printed.

Senator Allen introduced Senate bill No. 259, entitled "An act to amend sections one and two, and to repeal section seven of an act to provide for the ascertainment of and payment for damages done by municipal corporations to private property for public use, as directed by section 21, article 2 of the State Constitution, entitled 'Cities, towns and vilages—damages to private property for public use,' " which was read first time and 75 copies ordered printed.

Senator Allen introduced Senate bill No. 260, entitled "An act to amend sections 3172 and 3192 of article 1, chapter 47 of the Revised Statutes of the State of Missouri, 1879, entitled 'Mechanics' liens,' " which was read first time and 75 copies ordered printed.

Senator Ball introduced Senate bill No. 261, entitled "An act granting to the common schools in townships in which saloons are situated, one-third of the county revenue derived by the county from such saloon licenses," which was read first time and the bill ordered not printed.

Senator Saltonstall introduced Senate bill No. 262, entitled "An act to amend section 5622 of the Revised Statutes of Missouri for the year 1879, as amended by an act entitled an act to amend section 5622 chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Fees,' approved March 18, 1885," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 263, entitled "An act to prevent fire insurance companies from charging a fee or premium where gasoline stoves are used in a dwelling upon which they have insurance against loss or damages by fire," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 264, entitled "An act to amend section 6334, chapter 129 of the Revised Statutes of Missouri, 1879, and by adding a new section thereto to be known as 6341a," which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 265, entitled "An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of 150,000 inhabitants or more, and providing for their compensation," which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 266, entitled "An act to amend section 5529 of chapter 101, Revised Statutes of Missouri, entitled 'Of elections,'" which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 267, entitled "An act to repeal section 7581, article 1, chapter 164 of the Revised Statutes of Missouri, 1879, entitled 'Of the State Treasurer,'" which was read first time and 75 copies ordered printed.

Senator Downing introduced Senate bill No. 268, entitled "An act relating to stenographers for certain courts, and regulating the fees for their services," which was read first time and 75 copies ordered printed.

Senator Hunter introduced Senate bill No. 269, entitled "An act to amend sections 184, 185, 189, article 9, chapter 1, Revised Statutes of Missouri, entitled 'Of the administration of estates of deceased persons,'" which was read first time and 75 copies ordered printed.

Senator Hunter introduced Senate bill No. 270, entitled "An act to amend an act entitled an act to repeal section 7125, article 1, chapter 150 of the Revised Statutes of Missouri, 1879, entitled 'Of schools,' and to insert in lieu thereof of a new section," which was read first time and 75 copies ordered printed.

Senator Sheldon introduced Senate bill No. 271, entitled "An act to repeal section 2174 of chapter 28 of the Revised Statutes of Missouri, entitled 'Of divorce, alimony and custody of children,'" which was read first time and 75 copies ordered printed.

Senator Taggart introduced Senate bill No. 272, entitled "An act to amend section 29 of an act relating to roads and highways under township organization, approved March 26, 1881," which was read first time and 75 copies ordered printed.

Senator Harmon submitted the following report from the Committee on Agriculture, Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 168, entitled "An act to place the streets and alleys in unincorporated towns and villages under the control of the county courts and road overseers," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 139, entitled "An act to provide for the drainage of lead and zinc mines, and to regulate the liability of the owners of mineral bearing lands and the lessees thereof who are benefited by drainage;"

Also, Senate bill No. 164, entitled "An act to amend chapter 148 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of salaries,' by adding thereto a new section to be designated section 6991a, providing for the compensation of special judges;"

Also, Senate bill No. 110, entitled "An act to enable guardians and curators to invest the funds of their wards in real estate;"

Also, Senate bill No. 8, entitled "An act to enforce compliance with section 24 of article 12 of the Constitution of Missouri;"

Also, Senate bill No. 126, entitled "An act to establish a State reform school for juvenile offenders," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Sebree submitted the following report from the Committee on Justices of the Peace, which was read :

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred Senate bill No. 173, entitled "An act to provide for the election of three justices of the peace, in addition to such as are now allowed by law," beg leave to report that they have carefully examined the same and recommend that the accompanying substitute do pass.

Substitute for Senate bill No. 173 was read first and second times and agreed to.

Senator Hunter submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT. Your Committee on Ways and Means, to whom was referred Senate bill No. 161, entitled "An act to provide for the selection of a depository for the county funds of each of the counties of this State," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments.

Amendment No. 1. Strike out section 4, and in lieu thereof insert the following: "Section 4. Immediately after the selection of such depository it shall be necessary for such banking incorporation, association or individual banker, to deposit with some reliable trust company, duly incorporated under the laws of this State, bonds, either of the

United States or of the State of Missouri, or school bonds issued under the laws of this State, to an amount sufficient to cover the deposits of the county, and subject to the approval of the county court of the county depositing in trust, for the faithful discharge of its duty as the official depository of the funds of the county."

The amendment was not agreed to.

Senator Simrall moved that the Committee on Ways and Means be permitted to withdraw the amendment to Senate bill No. 161. The motion was agreed to.

Senator Harmon offered the following amendment to Senate bill No. 161, which was read first and second times and agreed to: Strike out the words "this State," in 4th line of section 1, and insert in lieu thereof the words "such county."

Senator Downing offered the following amendment to Senate bill No. 161, which was not agreed to:

Amend by striking out the word "baker," in the 4th line of section one, and insert in lieu thereof "banker."

Senator Gideon was granted leave of absence until to-morrow.

Senator Ryors offered the following amendment to Senate bill 161, which was not agreed to by the following vote:

Amend by striking out all after the enacting clause.

AYES—Senators Mansfield, Ryors and Sheldon—3.

NOES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kerwin, Mackey, Moran, Parcher, Saltonstall, Sebree, Simrall, Sparks, Taggart and Webster—19.

ABSENT WITH LEAVE—Senator Davison, Gideon, Jacobs, Johnson of Madison, Kelly, Ketchum, McGinnis, Proctor, Seabourn, Sears, Smith and Wood—12.

Senator Harmon offered the following amendment, which was read first and second times and agreed to:

Strike out the words "this State," in 2d line, 2d section, and insert "such county."

Senator Hunter submitted the following report from the Committee on University, Public and Normal School Education, which was read:

MR PRESIDENT: Your Committee on University and Public and Normal Schools, to whom was referred Senate bill No. 175, entitled "An act to regulate charitable and educational institutions in this State, and to improve their management, and to increase their efficiency, and to provide for the appointment of a State board of commissioners of

such public institutions," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Moran moved that Senate bill No. 175 be referred to the Committee on Eleemosynary Institutions, which was not agreed to.

The following Senate bills were read second time and referred to committees, as follows :

Senate bill No. 223, entitled "An act relating to cities of the second class," to the Committee on Corporations other than Railroads and Insurance ;

Also, Senate bill No. 230, entitled "An act to define a retail liquor dealer, and to create a special class of licenses to be known as retail liquor dealer licenses," to Committee on Criminal Jurisprudence ;

Also, Senate bill No. 242, entitled "An act to amend section 2812 article 1 of chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts,'" to Committee on Judiciary ;

Also, Senate bill No. 243, entitled "An act to amend sections 1 and 4 of an act entitled 'An act to amend sections 5438, 5440, 5441, 5442, 5456, 5464 ; to repeal section 5462 of chapter 98, and adding three new sections thereto, entitled 'Of dramshops,' approved March 24, 1883," to Committee on Criminal Jurisprudence ;

Also, Senate bill No. 245, entitled "An act to provide for the making, publication and distribution of a digest of the reports of the Supreme Court and of the courts of appeals of this State, and for the appropriation of money therefor," to the Committee on Judiciary ;

Also, Senate bill No. 247, entitled "An act entitled an act to amend section 5032 of the Revised Statutes of Missouri, entitled 'Of villages,' to Committee on Corporations other than Railroads and Insurance ;

Also, Senate bill No. 248, entitled "An act to amend section 237, chapter 1, article 10 of the Revised Statutes of Missouri, entitled 'Administration—annual and final settlements,'" to Committee on Judiciary ;

Also, Senate bill No. 249, entitled "An act to amend article 2 of Revised Statutes of Missouri, 1879, entitled 'Offenses against the lives and persons of individuals,' by adding a new section thereto, to be known as section 1232a,'" to Committee on Criminal Jurisprudence ;

Also, Senate bill No. 250, entitled "An act in relation to witnesses attending court, their arrest and punishment," to Committee on Criminal Jurisprudence ;

Also, Senate bill No. 251, entitled "An act to enable county courts to grade, gravel and macadamize roads in their respective counties," to Committee on Judiciary ;

Also, Senate bill No. 252, entitled "An act to amend section 5415 of chapter 96 of the Revised Statutes of the State of Missouri, entitled 'Of ditches and drains,'" to Committee on Agriculture, Roads and Highways;

Also, Senate bill No. 253, entitled "An act to provide for placing the statues of Thomas H. Benton and Francis P. Blair, Jr., in the National Hall of Statuary at Washington," to Committee on Federal Relations;

Also, Senate bill No. 254, entitled "An act to repeal section 5998, article 3, chapter 119 of the Revised Statutes of Missouri, 1879, entitled 'Of insurance,' and to enact a new section in lieu thereof," to Committee on Insurance;

Also, Senate bill No. 257, entitled "An act in relation to releasing mortgages and deeds of trust," to Committee on Judiciary;

Also, Concurrent resolution No. 10, submitting to the qualified voters of the State of Missouri, an amendment to the Constitution, thereof, concerning the judicial department, to Committee on Constitutional Amendment;

Also, Concurrent resolution No. 11, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning bill of rights, to Committee on Constitutional Amendments.

The following Senate bills were ordered engrossed and printed:

Senate bill No. 51, entitled "An act to amend section one thousand three hundred and eight, article three, chapter twenty-four of the Revised Statutes of Missouri for the year 1879, concerning the punishment for grand larceny;"

Senate bill No. 53, entitled "An act to amend section 6791, article V., chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue;'"

Senate bill No. 93, entitled "An act to guard more sacredly the money and property belonging to the various counties in this State and to insure the most careful management of county affairs;"

Senate bill No. 115, entitled "An act defining the duties of circuit and prosecuting attorneys, and assistant circuit and prosecuting attorneys of courts of this State;"

Senate bill No. 145, entitled "An act to amend section 1 of an act entitled 'An act to amend section 6879, and to repeal section 6880, and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads;,' also enact a new section numbered 6886a; also an emergency clause, approved March 17, 1885;"

Senate bill No. 226, entitled "An act to amend section 1851, article 17 of chapter 24 of the Revised Statutes of Missouri, entitled 'Proceedings before trial;'"

Senate bill No. 227, entitled "An act to amend an act entitled 'An act to exempt certain property used exclusively for agricultural and horticultural societies from taxation.'"

Senate bills Nos. 96 and 130 were indefinitely postponed, on motion of Senator Sebree.

Senator Simrall introduced Senate bill No. 273, entitled "An act to amend section 1253 of chapter 24, article 2, Revised Statutes of Missouri, relating to offenses against the lives and persons of individuals," which was read first time and 75 copies ordered printed.

On motion of Senator Downing, the Senate adjourned until tomorrow morning at 10 o'clock.

TWENTY-FIFTH DAY—TUESDAY, February 8, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Mackey, from citizens of Sullivan county.

By Senator Jacobs, from citizens of Grundy county; also, from citizens of Livingston county; also, from citizens of Putnam county.

By Senator Saltonstall, from citizens of Saline county.

By Senator Sebree, from citizens of Carroll county.

By Senator Sparks, from citizens of Bates county.

By Senator Sears, from citizens of Schuyler county; also, from citizens of Macon county.

By Senator Allen, from citizens of Kansas City.

By Senator Davisson, from citizens of St. Louis.

The following remonstrance against the submission of a prohibitory amendment was presented and referred to the Committee on Constitutional Amendments :

By Senator Allen, from citizens of Jackson county.

Senator Sebree introduced Senate bill No. 274, entitled "An act to amend chapter 104 of the Revised Statutes of Missouri, 1879, entitled 'Of fences and inclosures,' by adding a new section thereto, to be known as section 5671*a*," which was read first time and 75 copies ordered printed.

Senator Allen introduced Senate bill No. 275, entitled "An act to amend article 11 of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, to be designated as section 7154*a*," which was read first time and 75 copies ordered printed.

Senator Ketchum reported sick.

The following Senate bills were read second time and referred to committees, as follows :

Senate bill No. 258, entitled "An act to amend section 1 an act entitled an act to amend section 1 of an act entitled 'An act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof, approved February 2, 1871, changing the time of holding court, and providing for changes of venue in said county, approved February 8, 1872,'" to Committee on Criminal Jurisprudence ;

Senate bill No. 261, entitled "An act granting to the common schools in townships in which saloons may be situated one-third of the county revenue derived by the county from such saloon licenses," to Committee on State University, Public and Normal School Education.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 168, entitled "An act to place the streets and alleys in unincorporated towns and villages under the control of the county courts and road overseers ;"

Substitute for Senate bill No. 173, entitled "An act to amend section twenty-eight hundred and three (2803), article one (1), chapter forty-four (44) of the Revised Statutes of the State of Missouri, so as to entitle cities of over one hundred thousand inhabitants or more, two justices of the peace, in addition to the number allowed by law to the township in which such town may be ;"

Senate bill No. 175, entitled "An act to regulate charitable and educational institutions in the State, and to improve their management, and to increase their efficiency, and to provide for the appointment of a State board of commissioners of such public institutions."

Senator Parcher granted leave to have Senate bill No. 175 printed at his own expense.

Senate bill No. 161, entitled "An act providing for the selection of a county depository for the county funds of each of the counties of this State," was ordered engrossed and printed.

Senator Saltonstall submitted the following report from the Committee on Constitutional Amendments, which was read :

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred concurrent resolution No. 2, providing for submission at election to be held on the first Tuesday next following the first Monday of November, A. D. 1888, an amendment to the Constitution concerning free transportation on railroads within this State of members of the General Assembly and certain State officers of the State of Missouri, beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Johnson of Montgomery submitted the following reports from the Committee on Agriculture, Roads and Highways, which were read :

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate joint and concurrent resolution No. 5, requesting our Senators and Representatives in Congress to vote for and use all honorable means to procure the passage of the Miller bill, that has for its object the extirpation the dread disease, pleuropneumonia, beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 55, entitled "An act to amend an act approved March 27, 1883, entitled 'An act to restrain domestic animals from running at large,' and also an act amending said act approved March 31, 1835, entitled 'Animals,' by adding sections 13, 14, 15, 16, 17, 18, 19 and 20 thereto," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 125, entitled "An act to amend an act entitled 'An act to amend section 6879, and to repeal section 6880, and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads ;' also a new section numbered 6886a ; also

an emergency clause,' approved March 17, A. D. 1885, by adding a new section to be numbered 6886b," beg leave to report that they have carefully examined the same and recommend that the substitute herewith submitted do pass.

Substitute for Senate bill No. 125 was read first and second times and agreed to.

Senator Harmon submitted the following reports from the Committee on Railroads and Internal Improvements, which were read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 154, entitled "An act to license railroad companies," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 153, entitled "An act to create a lien on railroad companies, and to provide for the enforcement of the same," beg leave to report that they have carefully examined the same and recommend that it be referred to the Committee on Judiciary.

Senate bill No. 153 was referred to Committee on Judiciary.

Substitute for Senate bill No. 8 was laid over informally.

Senator Kelly granted leave of absence until to-morrow.

Senator Gideon granted leave of absence until Thursday.

Senate bill No. 110, entitled "An act to enable guardians and curators to invest the funds of their wards in real estate," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mansfield, Moran, Saltonstall, Sears, Sheldon, Simrall, Sparks, Taggart and Webster—22.

NOES—Senators Castleman, Mackey, Parcher and Sebree—4.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Gideon, Kelly, Ketchum, Froctor, Seabourn, Smith and Wood—7.

The title was read and agreed to.

Senator Hazell moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 126, entitled "An act to establish a State reform school for juvenile offenders," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery,

Kerwin, McGinnis, Mackey, Mansfield, Moran, Parcher, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Webster—23.

NOES—Senators Downing and Saltonstall—2.

ABSENT—Senators Harmon and Ryors—2.

ABSENT WITH LEAVE—Senators Gideon, Kelly, Ketchum, Proctor, Seabourn, Smith and Wood—7.

Senator Moran offered the following amendment to the title, which was agreed to :

Amend title to Senate bill No. 126 by adding “and to appropriate money therefor.”

The title, as amended, was agreed to.

On motion of Senator Moran to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 139 was laid over informally.

Senate bill No. 164, entitled “An act to amend chapter 148 of the Revised Statutes of the State of Missouri of the year 1879, entitled ‘Of salaries,’ by adding thereto a new section to be designated section 6991a, providing for the compensation of special judges,” was read third time and failed to pass by the following vote:

AYES—Senators Allen, Davisson, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, McGinnis, Mansfield, Moran, Saltonstall, Sears, Sheldon, Simrall and Webster—15.

NOES—Senators Ball, Castleman, Claycomb, Downing, Harmon, Kerwin, Mackey, Parcher, Sebree, Sparks and Taggart—11.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Gideon, Ketchum, Proctor, Seabourn, Smith and Wood—7.

Senate bill No. 89, entitled “An act to amend section 7095, article 1, chapter 150, Revised Statutes of Missouri of 1879, entitled ‘Of schools,’” was read third time and failed to pass by the following vote:

AYES—Senators Allen, Ball, Davisson, Downing, Harmon, Jacobs, Johnson of Madison, Kelly, Kerwin, McGinnis, Mansfield, Parcher, Sebree, Sparks and Webster—15.

NOES—Senators Castleman, Claycomb, Hazell, Hunter, Johnson of Montgomery, Mackey, Moran, Saltonstall, Sears, Sheldon, Simrall and Taggart—12.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Gideon, Ketchum, Proctor, Seabourn, Smith and Wood—6.

Senate bill No. 90 was laid over informally.

Senate bill No. 74, entitled “An act to amend section 3833, chap-

ter 62 of the Revised Statutes of Missouri, entitled 'Of recorders of deeds,' " was called up.

Senator Parcher moved to reconsider the vote by which the bill was ordered engrossed. The motion was agreed to.

Senator Parcher offered the following amendment, which was declared out of order:

Amendment to No. 74. Amend by striking out all after the period and the word "county," in the 25th line of printed bill.

Senator Parcher offered the following amendment, which was read first and second times and rejected:

Amendment to No. 74. Amend by striking out of printed bill all after the word "treasury," in the 24th line.

Senator Jacobs offered the following amendment to the amendment, which was read first and second times and agreed to:

Amend by striking out the words "to form a part of the jury fund of the county."

The question recurring on the original amendment, that amendment, as amended, was rejected.

Senate bill No. 74 was ordered engrossed and printed.

Senator Ball moved to reconsider the vote by which Senate bill No. 135 failed to pass, which was carried.

The bill was again put upon its passage, and failed to pass by the following vote:

AYES—Senators Allen, Ball, Davisson, Downing, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Mansfield, Sears, Sheldon, Sparks and Webster—15.

NOES—Senators Castleman, Claycomb, Harmon, Johnson of Montgomery, McGinnis, Mackey, Moran, Parcher, Saltonstall, Sebree, Simrall and Taggart—12.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Gideon, Ketchum, Proctor, Seabourn, Smith and Wood—6.

On motion of Senator Harmon, the Senate adjourned until to-morrow morning at 10 o'clock.

TWENTY-SIXTH DAY—WEDNESDAY, February 9, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following communication was received from the House of Representatives, through Mr. Hornbuckle, Chief Clerk, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 9, entitled "An act to amend section 532, chapter nine (9) of the Revised Statutes of 1879, concerning prosecuting and circuit attorneys; "

Also, House bill No. 11, entitled "An act making all contracts hereafter made limiting the time in which suit may be brought, null and void; "

Also, House bill No. 15, entitled "An act to amend section 2931 of article 6 of chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices' courts; ' "

Also, House bill No. 18, entitled "An act to prevent the granting, sending of delivering free passes or tickets, or passes or tickets at a discount, to members of the General Assembly, members of State Board of Equalization, any State, judicial, county or municipal officer, by any railroad or other transportation company, or any officer, agent or employe of any such company, and to prevent any of said officers from accepting, using or traveling on the same; "

Also, House bill No. 50, entitled "An act to provide for payment of temporary judges; "

Also, House bill No. 147, entitled "An act to amend an act entitled 'An act to amend section one thousand three hundred and sixty-four, (1364) of article 3 of chapter 24 of the Revised Statutes of Missouri of 1879, entitled ' Crimes and criminal procedure—offenses against public and private property,' " approved March 20, 1885.

In which the concurrence of the Senate is respectfully requested.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented, which were referred to the Committee on Constitutional Amendments :

By Senator Claycomb, from citizens of Barton county; also, from citizens of Jasper county.

By Senator Downing, from citizens of Knox county; also, from citizens of Clark county.

By Senator Sears, from citizens of Schuyler county.

By Senator Johnson of Madisor, from citizens of Ripley county.

By Senator Harmon, from citizens of Johnson county.

By Senator Sparks, from citizens of Bates county.

By Senator Taggart, from citizens of Daviess county.

By Senator Sebree, from citizens of Carroll county.

By Senator Sheldon, from citizens of Cedar county ; also, from citizens of Polk county ; also, from citizens of Cedar county.

By Senator Hazell, from citizens of Cooper county.

By Senator Allen, from citizens of Jackson county.

By Senator Ketchum, from citizens of St. Louis.

By Senator Taggart, from citizens of Worth county.

The following remonstrances against the submission of a prohibitory amendment to the Constitution were presented and referred to Committee on Constitutional Amendments :

By Senator Allen, from citizens of Jackson county.

By Senator Proctor, from citizens of Boone, Audrain and Randolph counties.

Senator Davisson presented a remonstrance from citizens of St. Louis against the passage of the militia bill, which was referred to Committee on Militia.

Senator Kerwin presented a remonstrance from the Typographical Union of St. Louis against the passage of the school book bill, which was read and referred to Committee of the Whole.

Senator Ketchum introduced Senate bill No. 276, entitled "An act to amend section 6489 of the Revised Statutes, 1879, as amended by act of the General Assembly, approved March 31, 1883," which was read first time and 75 copies ordered printed.

Senator Sears introduced Senate bill No. 277, entitled "An act to create county and other boards of health, defining their duties and powers, and providing compensation for the members and officers," which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery introduced Senate bill No. 278, entitled "An act to amend section 743, of article 1, chapter 21, Revised Statutes of the State of Missouri, 1879, entitled 'Of private corporations,' which was read first time and 75 copies ordered printed.

Senator Downing submitted the following report from the Judiciary Committee, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 174, entitled "An act to amend section 2174 of chapter 28 of the Revised Statutes of Missouri, relating to divorce, alimony and custody of children," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Downing moved that Senate bill No. 174 be indefinitely postponed. The motion was agreed to.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 228, entitled "An act to amend section 3376 of chapter 56 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of partition,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 236, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 4, entitled "An act to repeal an act entitled 'An act to provide for the convenient delivery of railroad freight in the city of St. Louis, approved February 15, 1864,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 245, entitled "An act to provide for the making, publication and distribution of a digest of the reports of the Supreme Court and of the courts of appeals of this State, and for the appropriation of money therefor," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend printed bill by striking out the words "one copy to each prosecuting and circuit attorney," where they occur in the third and fourth lines.

The amendment was read first and second times and agreed to.

No. 2. Amend printed bill by inserting the following words between sections two and three, to wit: "Section 3. The contract mentioned in the first section of this act shall also provide that the publishers of said digest shall be required to furnish a sufficient number of volumes of said digest, or make such arrangements as to enable the legal profession in this State to obtain said digest, at the same price and upon the same conditions as fixed by the contract with the State."

The amendment was read first and second times and agreed to.

No. 3. Amend printed bill by striking out the figure "3," in the first line of section 3, and insert the figure "4" in lieu thereof."

The amendment was read first and second times and agreed to.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was re-

ferred Senate bill No. 242, entitled "An act to amend section 2812, article 1 of chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 248, entitled "An act to amend section 237, chapter 1, article 10, Revised Statutes of Missouri, entitled 'Administration—annual and final settlements,'" beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend printed bill by striking out the word "said," in the sixth line, and insert the word "the" in lieu thereof."

The amendment was read first and second times and agreed to.

No. 2. Amend printed bill by striking out all of section one after the word "court," in the sixth line of said section, and insert the words "in the county where said real estate is situated upon the same terms and in like manner as now provided by law for the sale of real estate under executions issued by the circuit court."

The amendment was read first and second times and agreed to.

No. 3. Amend printed bill by striking out the word "said," in the eighteenth line, and insert the word "the" in lieu thereof.

The amendment was read first and second times and agreed to.

No. 4. Amend printed bill by striking out all after the word "situated," in the nineteenth line, and insert the words "upon the same terms and in like manner as now provided by law for the sale of real estate under executions issued by the circuit court."

The amendment was read first and second times and agreed to.

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 204, entitled "An act to repeal an act entitled 'An act creating a board of health for the State of Missouri, defining its duties and powers and fixing the compensation of its officers,' approved March 29, 1883, and to enact new sections in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend printed bill by inserting after the word "persons," in the second line section one: "four of whom shall hold their office for the term of two years and three of whom shall hold their office for four years, and the vacancies which may occur in said board, by reason of the expiration of the term for which they were appointed, shall be filled by appointment every four years."

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend by striking out the words "of Missouri," in the fourth line in section 1, and "all," in the fifth line of said section 1.

The amendment was read first and second times and agreed to.

Amendment No. 3. Amend section 8 by adding the following :
"*Provided*, that any physicians, surgeons and accouchers who have registered their names with the county clerks of the counties wherein they reside, shall not be required to register their names with the probate judge ; *And provided further*, that the probate courts shall hereafter perform the duties imposed upon county clerks under the provisions of the law relating to the practice of medicine and surgery in this State."

The amendment was read first and second times and agreed to.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 165, entitled "An act to repeal section 2400 of chapter 32, Revised Statutes of 1879, entitled 'Of executions,' and to enact a new section in lieu thereof, to be known as section 2400," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments :

Amendment No. 1. Amend printed bill by striking out the word "and," in the 11th line, when it occurs between "facts" and "verified."

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend printed bill by striking out the word "petition," in the 12th line, and inserting the word "petitioner" in lieu thereof.

The amendment was read first and second times and agreed to.

Amendment No. 3. Amend printed bill by striking out the word "and," in the 13th line.

The amendment was read first and second times and agreed to.

Amendment No. 4. Amend printed bill by inserting the words "and deliver," between words "acknowledge" and "a," in the 14th line.

The amendment was read first and second times and agreed to.

Amendment No. 5. Amend printed bill by inserting the words "if he be dead, to his heirs, and if the purchaser has sold the same to," between the words "or" and "his," in the 14th line.

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 238, entitled "An act to amend section 1268 of article 2 of chapter 24 of the Revised Statutes of 1879, en-

titled 'Of crimes and criminal procedure,'” beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 250, entitled “An act in relation to witnesses attending court, their arrest and punishment,” beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senate bill No. 250 was, on motion of Senator Simrall, indefinitely postponed.

The following Senate bills were read second time and referred to committees, as follows :

Senate bill No. 255, entitled “An act entitled an act to amend section 1036 of article 1, chapter 23 of the Revised Statutes of Missouri, entitled ‘General powers and duties of courts,’ to Committee on Judiciary ;

Senate bill No. 246, entitled “An act to amend section 2836 of article 2 of chapter 44, Revised Statutes of 1879, entitled ‘Jurisdiction of justices of the peace,’ and sections 2858 and 2861 of article 3 of chapter 44 of Revised Statutes of 1879, entitled ‘Commencement of suits, service of process, etc.,’ and section 2881, of article 5 of chapter 44 of Revised Statutes of 1879, entitled ‘Replevin,’ and sections 2947 and 2948 of article 6, chapter 44 of Revised Statutes of 1879, of State of Missouri, entitled ‘Appearance, pleadings, adjournments and consolidation of actions,’” to Committee on Judiciary ;

Senate bill No. 256, entitled “An act to provide payment to county clerks for making out back tax books under the provisions of an act of the General Assembly of the State of Missouri, approved March 31, 1885,” to Committee on Judiciary ;

Joint and concurrent resolution No. 2 was laid over informally.

Joint and concurrent resolution No. 5 was laid over informally.

Senate bill No. 55, entitled “An act to amend an act entitled ‘An act to restrain domestic animals from running at large,’ approved March 27, 1883, and amended March 31, 1885, by adding a new section 13, by further adding thereto sections 14, 15, 16, 17, 18, 19 and 20, which said sections 14, 15, 16, 17, 18 19 and 20 shall read as follows :” was indefinitely postponed.

Substitute for Senate bill No. 125, entitled “An act to amend an act entitled an act to amend section 6879, and to repeal section 6880, and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled ‘Of assessment and taxation of railroads ;’” also a new section numbered 6886a ; also an emergency clause, ap-

proved March 17, A. D., 1885, by adding a new section, to be numbered 3886~~7~~, was ordered engrossed and printed.

Senate bill No. 154, entitled "An act entitled 'An act to license railroad companies,'" was indefinitely postponed.

The following House bills were taken up and read first time :

House bill No. 9, entitled "An act to amend section 532, chapter nine (9) of the Revised Statutes of 1879, concerning 'Prosecuting and circuit attorneys;'"

House bill No. 11, entitled "An act making all contracts hereafter made limiting the time in which suit may be brought, null and void ;

House bill No. 15, entitled "An act to amend section 2931 of article 6 of chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts;'"

House bill No. 18, entitled "An act to prevent the granting, sending or delivering free passes or tickets, or passes or tickets at a discount, to members of the General Assembly, members of State Board of Equalization, any State, judicial, county or municipal officer, by any railroad or other transportation company, or any officer, agent or employe of any such company, and to prevent any of said officers from accepting, using or traveling on the same ;"

House bill No. 50, entitled "An act to provide for payment of temporary judges;"

House bill No. 147, entitled "An act to amend an act entitled 'An act to amend section one thousand three hundred and sixty-four, (1364) of article 3 of chapter 24 of the Revised Statutes of Missouri of 1879, entitled 'Crimes and criminal procedure—offenses against public and private property,' approved March 20, 1885;"

Substitute for Senate bill No. 68, was called up and made a special order for to-morrow afternoon at 2 o'clock.

Senator Parcher submitted the following report from the Committee on Township Organization, Representative Apportionment and County Boundaries, which was read :

MR. PRESIDENT: Your Committee on Township Organization, Representative Apportionment and County Boundaries, to whom was referred Senate bill No. 155, entitled "An act to amend section 46 of an act entitled 'Roads, highways and bridges,' under township organization, approved March 29, 1883," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Ball moved to reconsider the vote by which Senate bill No. 69 was made a special order for 2 o'clock to-day. The motion was carried.

Senator Ball moved that the Senate resolve itself into Committee

of the Whole for the consideration of Senate bill No. 69. The motion was carried.

Senator Castleman in the chair.

The Committee of the Whole arose.

The President *pro tem.* called the Senate to order.

Senator Castleman submitted the following report from the Committee of the Whole, which was read:

MR. PRESIDENT: Your Committee of the Whole, to whom was referred Senate bill No. 69, beg leave to report that they have considered the same and recommend that it do pass with the accompanying amendments.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 239, entitled "An act providing for the holding of two terms of the Montgomery circuit court at the City of Montgomery, in said county, and prescribing the jurisdiction [thereof]," to Committee on Judiciary;

Senate bill No. 240, entitled "An act to repeal section 1147 of article 4 of chapter 23 of the Revised Statutes of Missouri, entitled 'Circuit courts,' and to enact a new section, to be numbered 1147, in lieu thereof," to Committee on Judiciary;

Senate bill No. 241, entitled "An act to establish and require the holding of two of the four terms of the probate court of Montgomery county, required by law to be held at the City of Montgomery, with like powers and jurisdiction coextensive with said county as pertain to similar courts of record in this State, and for the establishment of a probate office and clerk at said City of Montgomery," to Committee on Judiciary.

On motion of Senator Downing, the Senate adjourned until 10 o'clock to morrow.

TWENTY-SEVENTH DAY—THURSDAY, February 10, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions, asking the submission of a prohibitory amendment to the Constitution, were presented and referred to the Committee on Constitutional Amendments:

By Senator Seabee, from citizens of Caldwell county.

By Senator Claycomb, from citizens of Jasper county ; also, from citizens of Barton county.

By Senator Sparks, from citizens of Bates and Cass counties.

By Senator Sears, from citizens of Macon and Adair counties.

By Senator McGinnis, from citizens of St. Louis.

By Senator Parcher, from citizens of Atchison county.

By Senator Ball from citizens of Audrain county.

By Senator Seabourn, from citizens of Lawrence and Newton counties.

By Senator Harmon, from citizens of Johnson county.

By Senator Proctor, from citizens of Boone county.

By Senator Webster, from citizens of St. Louis and Jefferson counties.

By Senator Johnson of Madison, from citizens of Ripley county.

By Senator Taggart, from citizens of Harrison county.

By Senator Sheldon, from citizens of St. Clair county.

By Senator Ketchum, from citizens of St. Louis.

By Senator Wood, from citizens of Monroe county.

The following remonstrances were presented against the submission of a prohibitory amendment to the Constitution, which were referred to the Committee on Constitutional Amendments:

By Senator Allen, from citizens of Jackson county.

By Senator McGinnis, from citizens of St. Louis.

Senator Parcher presented a petition from citizens of Nodaway county against the passage of any game law, which was referred to the Committee on Criminal Jurisprudence.

The following communications were received from the House of Representatives, through its Chief Clerk, Mr. Hornbuckle, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed by the House the following resolution:

Resolved, That the Senate of the Thirty-fourth General Assembly of the State of Missouri be and is hereby respectfully requested to

amend House bill No. 18 by adding thereto another section, embracing the emergency clause.

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 51, entitled "An act to amend section 4010 of chapter 72 of the Revised Statutes of the State of Missouri, entitled 'Of witnesses;'"

Also, House bill No. 52, entitled "An act to amend section 4014 of chapter 72 of the Revised Statutes of the State of Missouri, entitled 'Of witnesses.'"

In which the concurrence of the Senate is respectfully requested.

Senator Claycomb introduced Senate bill No. 279, entitled "An act to amend section 832 of chapter 21, Revised Statutes, 1879, entitled 'Railroad classification—charges—commissioners,'" which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 280, entitled "An act to authorize railroad companies to use in common railroad tracks in cities of over 40,000 inhabitants, and providing for the appointment, and prescribing the powers and duties of a terminal superintendent of such tracks, and the mode and manner in which a railroad company may acquire an easement over such tracks, and the compensation to be paid therefor," which was read first time and 75 copies ordered printed.

Senator Sheldon introduced Senate bill No. 281, entitled "An act to amend section 482 of chapter 7 of the Revised Statutes of Missouri, entitled 'Of attorneys at law,'" which was read first time and 75 copies ordered printed.

Senator Sparks introduced Senate bill No. 282, entitled "An act to facilitate the assessment and collection of the revenue," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 283, entitled "An act to repeal sections 1 and 2 of an act approved February 27, 1885, entitled 'Of liens—oleomargarine,' and enact a new section in lieu thereof, to be known as section 3199a" which was read first time and 75 copies ordered printed.

Senator Castleman was granted leave to have Senate bill No. 280 printed at his own expense.

Senator McGinnis introduced Senate bill No. 284, entitled "An act concerning mutual savings societies," which was read first time, rules suspended, and 300 copies ordered printed.

Senator Sebree introduced Senate bill No. 285, entitled "An

act to abolish private seals in this State," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 286, entitled "An act to prevent any teacher of any public school in this State from teaching any language other than the English, under the provisions of article 7, chapter 150, Revised Statutes, 1879, except in counties having 100,000 inhabitants or more, and in the city of St. Louis," which was read first time and 75 copies ordered printed.

Senator Allen submitted the following reports from the Committee on Corporations other than Railroad and Insurance Companies, which were read :

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 162, entitled "An act to repeal section 5018, article 6, chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact four new sections in lieu thereof, to be known and designated sections 5018, 5018*a*, 5018*b* and 5018*c*," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 247, entitled "An act entitled an act to amend section 5032 of the Revised Statutes of Missouri, entitled 'Of villages,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 219, entitled "An act to amend section 6986, Revised Statutes of Missouri, 1879," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 163, entitled "An act to repeal section 5019, article 6, chapter 89 of the Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact seventeen new sections in lieu thereof, to be known and designated as sections 5019, 5019*a*, 5019*b*, 5019*c*, 5019*d*, 5019*e*, 5019*f*, 5019*g*, 5019*h*, 5019*i*, 5019*j*, 5019*k*, 5019*l*, 5019*m*, 5019*n*, 5019*o*, 5019*p*," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 23, entitled "An act to authorize the board of public improvements of any city in this State to audit and allow claims against such city for work done and materials furnished on any street or high-

way under a contract with such city," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments :

Amendment No. 1. Amend section 1, printed bill, by striking out between the word "done," in the fourth line, and the word "such," in the fifth line, the words "on any street or public highway of," and by inserting in lieu thereof "for and public work, improvement or repairs for."

The amendment was read first and second times and agreed to.

No. 2. Amend section 2 by adding between the words "power" and "of," in the third line, the words "agent or officer," and by adding after the word "claim," in the tenth line, the following: "which shall not exceed the face value of the tax bill."

The amendment was read first and second times and agreed to.

No. 3. Amend section 6 by adding at the end of said section the following: "nor to any claim that shall not have accrued subsequent to March 4, 1870."

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 152, entitled "An act to amend chapter 98 of the Revised Statutes of Missouri, 1879, entitled 'Of dramshops,' by adding two new sections thereto, to be known as section 5468*a* and section 5468*b*," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Strike out the words "room, or within one hundred yards of such dramshop," in lines five and six of printed bill, and insert in lieu thereof the words "or in any room or building adjacent thereto."

The amendment was read first and second times and agreed to.

No. 2. Strike out all of line nine except the word "shop," and all of line ten of printed bill, and insert in lieu thereof the words "or in any room or building adjacent thereto."

The amendment was not agreed to.

No. 3. Strike out all of said printed bill after line ten, and insert in lieu thereof the words "5468*a*. Any dramshop keeper violating any of the provisions of the preceding section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than one hundred dollars, and upon a second conviction shall be fined a like sum and his license as a dramshop keeper shall, as part of the judgment of conviction, be declared forfeited."

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 116, entitled "An act to amend section 1 of an act entitled 'An act to amend section 1904 of article 18, chapter 24 of the Revised Statutes of Missouri of 1879, entitled 'Of crimes and criminal procedure,' approved March 23, 1881," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Simrall, Senate bill No. 116 was indefinitely postponed.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 202, entitled "An act to prohibit the sale of intoxicating liquors within three miles of the Avalon college, situated in Livingston county, Missouri," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 71, entitled "An act to amend sections 8, 9, 10, 11 and 12 of an act entitled 'An act creating a board of health for the State of Missouri, defining its duties and powers, and fixing the compensation of its officers,' approved March 29, 1883," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 258, entitled "An act to amend an act to amend section 1 of an act entitled 'An act to amend section 13 of an act entitled 'An act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof,' approved February 2, 1871, changing the time of holding court and providing for changes of venue in said county, approved February 8, 1872," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 190, entitled "An act to provide for the appointment of a commission to inquire into the necessity of lessening the judicial circuits in the State, and authorizing the same to inquire into the relative efficiency of the office of prosecuting and circuit attorneys, and to defray the expenses of the committee," beg

leave to report that they have carefully examined the same and recommend that it do not pass.

On motion, Senate bill No. 190 was indefinitely postponed.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 137, entitled "An act to amend an act entitled 'An act in relation to prosecuting and circuit attorneys,' by repealing sections 512, 513, 514, 515, 516, 517 and 518 of chapter 9, article 2 of the Revised Statutes of Missouri, and to enact new sections in lieu thereof, of the same numbers, to read as follows," beg leave to report that they have carefully examined the same and recommend that it do pass with following amendment :

Amend printed bill No. 137 by adding at the end of section 518 the following amendment: "*Provided further*, that nothing in this act shall be so construed as to affect the duties, salaries and fees of the present attorneys until after the election of such officers at the general election of 1888."

The amendment was read first and second times and agreed to.

And adding a new section 519. All acts and parts of acts inconsistent herewith are hereby repealed.

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 136, entitled "An act to establish the office of circuit attorney in the various judicial circuits of the State, and to provide for the election of such officers at the general election in 1888, and to prescribe their duties as such," beg leave to report that they have carefully examined the same and recommend that it do pass with following amendments :

Amend printed bill by striking out all of section 14 and inserting in lieu thereof "he shall appear in conjunction with the prosecuting attorney upon the preliminary examination of all persons arrested for homicide, and upon the hearing of all applications for the writ of habeas corpus relating to the criminal law of this State."

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 57, entitled "An act to repeal section 547 of chapter 9 of the Revised Statutes of Missouri, concerning

prosecuting and circuit attorneys," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 243, entitled "An act to amend sections 1 and 4 of an act to amend sections 5438, 5440, 5441, 5442, 5456, 5464, to repeal section 5462 of chapter 98, and adding three new sections thereto, entitled 'Of dramshops,' approved March 21, 1883," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 107, entitled "An act to amend article 2 of chapter 24 of the Revised Statutes of the State of Missouri, in relation to crimes and criminal procedure, by adding a new section, to be known as section 1234a," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 234, entitled "An act to repeal an act entitled an act to amend section 2182 of chapter 28 of the Revised Statutes of Missouri, relating to 'Divorce,' approved March 31, 1885, and to re-enact section 2182 of chapter 28 of the Revised Statutes of Missouri, and add one new section to said chapter 28, to be known as section 2182a," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Simrall, the following Senate bills were indefinitely postponed: Senate bills Nos. 57, 243, 234 and 107.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 144, entitled "An act entitled an act to repeal 'An act to incorporate the town of Dallas, in Bollinger county, Missouri;'"

Also, Senate bill No. 208, entitled "An act to provide for completing the records of the probate courts in counties where former judges and clerks thereof have kept minutes of the proceedings thereof but have failed to enter such proceedings at large in the records of said court;"

Also, Senate bill No. 98, entitled "An act to amend section one of an act entitled 'An act to amend article 2, entitled 'Railroad companies,' of Revised Statutes of 1879, by adding two new sections thereto,' approved March 31, 1885, and to add a new section thereto, to be known as section three;"

Also, Senate bill No. 102, entitled "An act to repeal section 1881 of chapter 24, article 27 of the Revised Statutes of Missouri of 1879."

in relation to changes of venue in criminal cases, and to enact a new section in lieu thereof relating to the same subject ;”

Also, Senate bill No. 176, entitled “An act to amend chapter 103 of the Revised Statutes of the State of Missouri of the year 1879, entitled ‘Of fees,’ by adding thereto a new section, to be known as section 5650a ;”

Also, Senate bill No. 187, entitled “An act to amend section 5637 of chapter 103 of the Revised Statutes of 1879 ;”

Also, Senate bill No. 198, entitled “An act to amend chapter 64 of the Revised Statutes of Missouri, entitled ‘Of setoff,’ by adding thereto a new section, to be known as No. 3878½, relating to the rights of parties filing setoffs ;”

Also, Senate bill No. 142, entitled “An act to amend an act entitled ‘An act to authorize any city containing more than twenty thousand and less than two hundred and fifty thousand inhabitants, existing by virtue of special or local laws, to extend its limits and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained ;”

Also, Senate bill No. 211, entitled “An act to amend an act entitled ‘An act to amend section 3 of an act to amend sections 1127, 1135 and 1165 of the Revised Statutes, 1879, entitled ‘Circuit courts, and attaching the county of Taney to the 21st judicial circuit,’ approved March 22, 1883 ;”

Also, Senate bill No. 203, entitled “An act to repeal section 1 of the session acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record, approved April 2, 1883, and to enact a new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit ;”

Also, Senate bill No. 172, entitled “An act of limitation of actions on dower and the assignment of dower ;”

Also, Senate bill No. 66, entitled “An act to regulate the sale of morphine and any of its salts, and providing a penalty ;”

Also, Senate bill No. 193, entitled “An act to repeal an act entitled ‘An act to amend section 5627 of chapter 103 of the Revised Statutes of Missouri, entitled ‘Of fees,’ approved March 21, 1883, and to enact a new section in lieu thereof ;”

Also, Senate bill No. 95, entitled “An act appropriating money to properly equip the State Agricultural College and Farm of Missouri ;”

Also, Senate bill No. 123, entitled “An act to amend section 3229 of article 2, chapter 48 of the Revised Statutes of the State of Missouri, entitled ‘Limitation of actions ;’”

Also, Senate bill No. 141, entitled “An act to amend section 5596,

chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees;'"

Also, Senate bill No. 26, entitled "An act entitled an act to amend an act entitled 'A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products;'"

Also, Senate bill No. 192, entitled "An act in relation to limitations of equitable titles;"

Also, Senate bill No. 214, entitled "An act authorizing street railroad companies to change the motive power on their roads;"

Also, Senate bill No. 3, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor;'"

Also, Senate bill No. 182, entitled "An act to amend section 171, article 8, chapter 1, Revised Statutes of 1879, entitled, 'Administration;'"

Also, Senate bill No. 201, entitled "An act to amend chapter 18, Revised Statutes, 1879 of Missouri, entitled 'Of constables,' by adding a new section thereto, to be known as section 650a;"

Also, Senate bill No. 215, entitled "An act to provide for service of process in proceedings to contest corporate elections," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read:

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 146, entitled "An act repealing an act entitled 'An act providing for a State Veterinary Surgeon, defining his duties and fixing his compensation,' session acts of 1885, and enacting a new act in lieu thereof, entitled 'An act providing for the appointment of a State Veterinary Surgeon, defining his duties and fixing his compensation,'" beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend section 10 of printed bill by adding after the word "right," at the end of line 6, the following: "and the Governor may also instruct said Veterinary Surgeon to co-operate with the State Board of Health when deemed necessary for the preservation of the health of the live stock interest of this State; and when thus co-operating with the State Board of Health said veterinarian may

avail himself of the quarantine laws of the Board of Health for the protection of the health of the live stock interest of the State."

The amendment was read first and second times and agreed to.

No. 2. Amend section 10 of printed bill by striking out the word "that," in the 6th line of said section, and substituting the word "as" therefor.

The amendment was read first and second times and agreed to.

The rules were suspended and the bill, as amended, was ordered engrossed and printed.

Senator Hunter moved to reconsider the vote by which Senate bill No. 89 failed to pass. The motion was agreed to.

Senate bill No. 89, entitled "An act to amend section 7095, article 1, chapter 150, Revised Statutes of Missouri of 1879, entitled 'Of schools, '" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Parcher, Proctor, Ryors, Seabourn, Sebree, Sheldon, Smith, Sparks and Webster—24.

NOES—Senators Castleman, Claycomb, Johnson of Montgomery, Saltonstall, Sears, Simrall, Taggart and Wood—8.

ABSENT—Senator Moran.

ABSENT WITH LEAVE—Senator Mackey.

The title was read and agreed to.

Senator Ryors moved to reconsider the vote by which the bill passed.

Senator McGinnis moved to lay that motion on the table. The latter motion prevailed.

Senator Saltonstall submitted the following report from the Committee on Constitutional Amendments, which was read:

MR. PRESIDENT: Your Committee on Constitutional Amendments to whom was referred joint and concurrent resolution No. 1, submitting to the legal voters of the State of Missouri, an amendment to the Constitution thereof prohibiting the manufacture and sale as a beverage within the State of intoxicating liquors, beg leave to report that they have carefully examined the same and recommend that it do not pass.

Joint and concurrent resolution No. 1 was taken up.

Senator Johnson of Montgomery moved that the resolution be indefinitely postponed.

Senator Hazell moved that the Committee on Railroads and Internal Improvements be excused from attending on Senate this afternoon. The motion was not agreed to.

On motion of Senator McGinnis, the Senate took a recess until two o'clock.

AFTERNOON SESSION.

The hour of recess having expired, the President called the Senate to order.

The following petitions, asking the submission of a prohibitory amendment to the Constitution, were presented and referred to the Committee on Constitutional Amendments :

By Senator Ryors, from citizens of Osage county.

By Senator Hunter, from citizens of Scott county ; also, from citizens of New Madrid and Mississippi counties.

The following remonstrances against the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments :

By Senator Hunter, from citizens of Scott county ; also, from citizens of Mississippi county.

Senator Moran presented a petition from citizens of Jasper county, asking the prohibition of the growth of cereals, which was referred to the Committee on Eleemosynary Institutions.

The special order for 2 o'clock being the consideration of substitute for Senate bill No. 68, the same was called up by Senator Sparks, and on motion of Senator Downing, the special order was postponed until to-morrow morning at 10 o'clock.

The consideration of the indefinite postponement of joint and concurrent resolution No. 1, submitting a prohibitory amendment to the Constitution, was resumed.

Senator Parcher moved that the further consideration of the indefinite postponement of joint and concurrent resolution No. 1 be postponed until February 17. The motion was lost by the following vote:

AYES—Senators Ball, Gideon, Jacobs, Johnson of Madison, Parcher, Proctor, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks and Taggart—13.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Ryors, Saltonstall, Sears, Webster and Wood—19.

ABSENT—Senator Mansfield.

ABSENT WITH LEAVE—Senator Mackey.

The motion to indefinitely postpone joint and concurrent resolution No. 1 was carried by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Ryors, Saltonstall, Sears, Smith, Webster and Wood—22.

NOES—Senators Gideon, Jacobs, Johnson of Madison, Parcher, Proctor, Seabourn, Sebree, Sheldon, Simrall, Sparks and Taggart—11.

ABSENT WITH LEAVE—Senator Mackey.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 175, entitled "An act to regulate charitable and educational institutions in the State, and to improve their management, and to increase their efficiency, and to provide for the appointment of a State board of commissioners of such public institutions," beg leave to report that they have compared the same and find it to be truly engrossed and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator Sears, the Senate adjourned until to-morrow morning at 10 o'clock.

TWENTY-EIGHTH DAY—FRIDAY, February 11, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following petitions, asking the submission of a prohibitory amendment to the Constitution, were presented and referred to the Committee on Constitutional Amendments :

By Senator Mackey, from citizens of Chariton county.

By Senator Davisson, from citizens of St. Louis.

The following remonstrance against the submission of a prohibitory amendment was presented and referred to Committee on Constitutional Amendments:

By Senator Allen, from citizens of Jackson county.

Senator Parcher presented a petition from citizens of Holt county asking the appropriation of \$6,000 to be used for horticultural purposes, which was referred to Committee on Ways and Means.

Senator Claycomb moved the reconsideration of the vote by which Senate bill No. 139 went to engrossment. The motion was agreed to. The bill was recommitted to Committee on Labor, Mines and Manufactories.

Senator Sears moved the reconsideration of the vote by which Senate bill No. 203 went to engrossment. The motion was agreed to, and the bill was laid over informally.

Senator McGinnis offered the following resolution, which was read and adopted :

Resolved, That the Committee on Constitutional Amendments be and they are hereby directed to turn over to the Secretary of State all the petitions in their possession relating to prohibition and submission, and the Secretary of State is hereby requested to carefully hold the same until the next election, when he will cause their destruction.

Senator Downing moved to reconsider the vote by which Senate bill No. 164 failed to pass. The motion was carried.

Senate bill No. 164, entitled "An act to amend chapter 148 of the Revised Statutes of the State of Missouri, of the year 1879, entitled 'Of salaries,' by adding thereto a new section, to be designated section 6991a, providing for the compensation of special judges," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Proctor, Seabourn, Sears, Sheldon, Simrall, Webster and Wood—23.

NOES—Senators Castleman, Claycomb, Harmon, Mackey, Parcher, Saltonstall, Sebree, Smith, Sparks and Taggart—10.

ABSENT—Senator Ryors.

The emergency clause was read and adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield,

Moran, Proctor, Sears, Sheldon, Simrall, Smith, Sparks, Webster and Wood—26.

NOES—Senators Claycomb, Mackey, Parcher, Saltonstall, Seabourn, Seabee and Taggart—7.

ABSENT—Senator Ryors.

The title was read and agreed to.

Senator Sears moved the reconsideration of the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

The consideration of substitute for Senate bill No. 68, being the special order of 10 o'clock, was called up.

Senator Allen offered the following amendment, which was read :

Amendment to substitute for Senate bill No. 68. Amend by adding at the end of section 74, the following: "*Provided*, That this act shall not apply to any military company that has been in existence for ten years last past."

Senator McGinnis offered the following substitute for the amendment, which was read :

Substitute for amendment offered by Senator Allen: Strike out section 74.

Leave of absence granted Senator Allen until Tuesday.

Leave of absence granted to Senator Sheldon until Tuesday morning.

Senators Simrall and Ball granted leave of absence until Tuesday.

Senator Kerwin moved that when the Senate adjourn it adjourn until Monday at 2 o'clock.

Senator Parcher offered an amendment to adjourn until to-morrow morning.

The following communication was received from the House of Representatives through its Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 20, entitled "An act to amend section 1350, article 3, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure;'"

Also, House bill No. 58, entitled "An act to amend section 2564 of chapter 37 of the Revised Statutes of 1879 of the State of Missouri, entitled 'Of guardians and curators;'"

Also, House bill No. 105, entitled "An act to amend sections 1 and 2 of an act entitled 'An act to regulate the weighing of coal at mines, and to establish a just and uniform system of weights between employers and employees,' approved March 18, 1885;"

Also, House bill No. 197, entitled "An act to amend section 5021, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages;'"

Also, House bill No. 198, entitled "An act to amend section 5022, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages;'"

Also, House bill No. 74, entitled "An act to prevent diseased stock of any kind from running at large;"

Also, House bill No. 85, entitled "An act to prevent the use of any substitute for hops, or pure extract of hops, in the manufacture of ale or beer, and to preserve the public health;"

Also, House bill No. 91, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 31, 1885, by adding the words 'or any other animals,' between the words 'sheep' and 'from,' in the fifth line of said section 12, so that said section shall read as follows;"

Also, Joint and concurrent resolution No. 7, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to favor the passage of an act for the suppression of pleuro-pneumonia and other contagious diseases among domestic animals;"

Also, House bill No. 63, entitled "An act to prevent county commissioners of public schools from granting certificates without first having examined the applicant in the branches required by law to be taught in the public schools;"

Also, House bill No. 264, entitled "An act to amend section 1532, article 7, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure.'"

In which the concurrence of the Senate is respectfully requested.

The vote was taken upon the motion of Senator Kerwin that when the Senate adjourn it adjourn until Monday at 2 o'clock. The motion was lost by the following vote:

AYES—Senators Allen, Ball, Davisson, Kelly, Kerwin, Ketchum, Moran, Proctor, Sheldon and Simrall—10.

NOE—Senator Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, McGinnis, Mackey, Mansfield Parcher, Saltonstall, Seabourn, Sears, Sebree, Smith, Sparks, Taggart, Webster and Wood—23.

ABSENT—Senator Ryors.

The question recurring upon the substitute offered by Senator McGinnis to the amendment offered by Senator Allen to substitute to Senate bill No. 63, the substitute was not agreed to.

The question recurring upon the amendment offered by Senator Allen, the amendment was not agreed to.

Senator McGinnis moved that the further consideration of special order be postponed until 2 o'clock. The motion was agreed to.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 88, entitled "An act to appropriate money for the purpose of erecting additions and making other necessary improvements to Lunatic Asylum No. Three (3), located at Nevada, Missouri;"

Also, Senate bill No. 179, entitled "An act to repeal section 1186 of chapter 23, article 5 of the Revised Statutes of Missouri of 1879, entitled 'Courts of record,' and relating to the fees of judges of probate, and to enact a new section in lieu thereof, relating to the same subject;"

Also, Senate bill No. 85, entitled "An act to prohibit the sale or giving away of intoxicating liquor to minors, and to prohibit the purchasing or procuring for such minors any such intoxicating liquor, and to prescribe a punishment therefor;"

Also, Senate bill No. 101, entitled "An act to amend section 2804 of article 1 of chapter 44 of the Revised Statutes of the State of Missouri, entitled 'Of justices courts,' by adding a new clause thereto;"

Also, Senate bill No. 113, entitled "An act to repeal section 6705, chapter 145, article 2 of the Revised Statutes of Missouri, 1879, and to repeal said section as amended by the session acts of 1881, at page 180 of said session acts, approved March 24, 1881;"

Also, Senate bill No. 197, entitled "An act to amend article 2 of chapter 48 of the Revised Statutes of Missouri, entitled 'Of the limitation of actions,' by adding thereto a new section, to be known as section No. 3253½, relating to the deduction of the time that setoff, counterclaim, etc., is pending, from the statutory period of limitation;"

Also, Senate bill No. 207, entitled "An act to repeal section five thousand six hundred and fourteen of chapter 103 of the Revised Statutes of Missouri for the year 1879, and to enact a new section in lieu thereof, concerning constables' fees;"

Also, Senate bill No. 210, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees;'"

Also, Senate bill No. 24, entitled "An act entitled an act to amend section one of 'An act to repeal section 2865 of chapter 44, article 3 of the Revised Statutes of the State of Missouri, 1879, in relation to the

commencement of suits, service of process, etc., in justices courts, and enacting in lieu thereof a new section, approved March 22, 1883 ;”

Also, Senate bill No. 38, entitled “An act to repeal section 1904 of Revised Statutes of Missouri, 1879, and to repeal an act entitled ‘An act to amend section one thousand nine hundred and four (1904) of the Revised Statutes of the State of Missouri entitled ‘Crimes and criminal procedure,’ approved March 23, 1881, and to enact a new section concerning juries in criminal cases, to be known as section 1904 ;”

Also, Senate bill No. 167, entitled “An act to amend section 5878 of chapter 118, article 1 of the Revised Statutes of the State of Missouri, 1879, entitled ‘Of institutions,’ by striking out certain words and inserting other words in lieu thereof ;”

Also, Senate bill No. 138, entitled “An act to amend section fifteen hundred and fifty of article eight of chapter twenty-four of the Revised Statutes of the State of Missouri of 1889, entitled ‘Of crimes and criminal procedure ;”

Also, Senate bill No. 206, entitled “An act to pay to the county of McDonald school moneys improperly withheld from it for the year 1875 ;”

Also, Senate bill No. 129, entitled “An act entitled an act to amend chapter 38, Revised Statutes of Missouri, 1879, entitled ‘Of habeas corpus,’ by adding 2 new sections thereto, to be known as section 2688a and section 2688b ;”

Also, Senate bill No. 84, entitled “An act to furnish the county of Butler the Supreme Court and the courts of appeal reports from volum 16 ; also the Revised Statutes of 1879, and session laws of 1881, 1883 and 1885 ;”

Also, Senate bill No. 200, entitled “An act to amend section 929 of article 8 of the Revised Statutes of Missouri of 1879, entitled ‘Manufacturing and business companies ;”

Also, Senate bill No. 186, entitled “An act to amend section 5148 of chapter 93 of the Revised Statutes of Missouri, entitled ‘Of coroners and inquests,’ by striking out certain words therefrom,” beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 221, entitled “An act to amend section one thousand and seventy-seven (1077), article 2, chapter twenty-three (23) of the Revised Statutes of 1879, relating to the Supreme Court,” beg

leave to report that they have carefully examined the same and recommend that it do pass.

Senator Moran submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 223, entitled "An act in relation to cities of the second class," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Section 3, line one, by inserting the following words: "The mayor and common council shall have power," before the first word of said line, and in line twenty-four the word "common," between the words "of" and "council," where those words occur in said line.

The amendment was read first and second times and agreed to.

No. 2. Amend section 6 by inserting in line one the words "the mayor and common council shall have power by ordinance," preceding first word of said line.

The amendment was read first and second times and agreed to.

No. 3. Amend section 9, line eighteen, by striking out the words "so as," between the words "property" and "to."

The amendment was read first and second times and agreed to.

No. 4. Amend section 11, line four, by inserting the words "name of the," between the words "the" and "owner."

The amendment was read first and second times and agreed to.

No. 5. Amend section 12, line one, by inserting the words "by ordinance," between two words "power and to."

The amendment was read first and second times and agreed to.

No. 6. Amend section 13, line 51, by inserting the words "and such lien shall continue for two years from the maturity thereof, or until final determination of any legal proceedings to collect the same, including any sale of the property charged," between the words "ground" and "and," and in line fifty-two, by inserting after the word "maturity," the words "each special tax bill shall be."

The amendment was read first and second times and agreed to.

No. 7. Amend section 14 by striking out all after the word "ground," in line twenty.

The amendment was read first and second times and agreed to.

No. 8. Amend by striking out all of section 15, and by inserting the following: "Section 15. The city comptroller shall, within five days after he has been appointed and qualified, as provided by law, advertise for five days in each of the daily papers of such city that he will receive sealed bids from any bank within the city for deposit with

one of them of all city moneys during the ensuing two years and until its successor shall be duly selected. All bids received by him shall be kept safely and securely sealed until the first meeting thereafter of the common council, at which meeting he shall, in the presence of the common council, open said bids, and with the approval of the common council, award and let the deposits to the bank agreeing to pay the highest rate of interest for the use of such deposits, the common council having the right to reject any and all bids, in which case they may at any time thereafter direct the city comptroller to advertise again for bids in the same manner as before. Before any deposits are placed with the bank selected, it shall execute a bond, to be approved by the city comptroller, in double the highest amount of probable deposits during any month during such time, and such money, together with such interests and profits as may accrue thereon, shall be at all times subject to the draft of the city treasurer for the purpose of being by him disbursed and paid out for the purposes of the city according to the laws governing cities of the second class, and all ordinances of such cities."

The amendment was read first and second times and agreed to.

On motion of Senator Moran, the rules were suspended, and Senate bill No. 223 was ordered engrossed and printed.

Senator Wood submitted the following reports from the Committee on Corporations other than Railroad and Insurance Companies, which were read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 229, entitled "An act to amend section four thousand and forty-three, Revised Statutes of 1879," beg leave to report that they have carefully examined same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 177, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 32, entitled "An act to provide for placing electrical conductors under ground in cities of this State of the first class," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 224, entitled "An act relating to cities of second class," beg leave to report that

they have carefully examined the same and recommend that it do not pass.

Senate bill No. 224 was indefinitely postponed, on motion of Senator Wood.

Senator Wood submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read :

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred substitute for Senate bill No. 47, entitled "An act to enable incorporated towns and cities of ten thousand inhabitants or less, to cause the owners of property to build and repair sidewalks, and cause the expense to be enforced as a lien against the property, and to provide for the appointment of a constable and street and sidewalk commissioner," beg leave to report that they have carefully examined the same and recommend that the substitute do pass.

On motion of Senator Sebree, the substitute was read first and second times and agreed to.

Senator Wood submitted the following report from the Committee on University, Public and Normal School Education, which was read :

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 237, entitled "An act to create a new Normal School District, to be known as District No. 4, and to establish Normal School No. 4, and to appropriate money therefor," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Jacobs introduced joint and concurrent resolution No. 12, instructing our Senators and requesting our Representatives in Congress to use all means proper in their legislative capacity to secure an appropriation of \$50,000, for the purpose of straightening Grand river, which was read first time and ordered not printed.

Senator Smith introduced Senate bill No. 237, entitled "An act to amend sections 1 and 7, of chapter X. of the appendix of the Revised Statutes of Missouri, entitled 'Of concerning elections,' " which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 288, entitled "An act to amend an act, approved March 26, 1881, entitled 'Marriage license—regulations,' by adding a new section thereto, to be known as section 7, and to repeal section 7 of said act, and to add a new section thereto, to be known as section 8," which was read first time and 75 copies ordered printed.

Senator Sheldon introduced Senate bill No. 289, entitled "An act to prevent physicians, or pretended physicians, from issuing fraudulent

prescriptions in this State," which was read first time and 75 copies ordered printed.

Senate bill No. 68 was taken up, with the following amendment offered by Committee of the Whole:

Strike out the first section and insert the following: "Section 1. There is hereby established a school book publishing board, consisting of the State Superintendent of Public Schools, the superintendent of the public schools of the City of St. Louis, and the principals of the faculties of each of the three State Normal Schools and their successors in office, and the State Superintendent of Public Schools shall be *ex officio* president of the board."

The amendment was read first and second times and agreed to.

Add to section 1, the following: *Provided*, that the supervision of their work shall at all times be under the control of the State board of education."

The amendment was read first and second times and agreed to.

Amend section 3 by adding after the word "dollars" in the 39th line of said section, the following: "*Provided*, that all necessary school books shall be furnished free to all indigent children of school age who attend school in this State, upon the recommendation of the directors of the district in which said indigent children reside."

The amendment was not agreed to.

Amend amendment by striking out the word "indigent."

The amendment was not agreed to.

Amend section 3, Senate bill No. 69, by inserting the following proviso after the word "required," in line 7, to wit: "*Provided*, that such printing shall not be done in the penitentiary, or by convict labor."

The amendment was read first and second times and agreed to.

Amend section 3, line 1, by striking out the words "the school book publishing board," and inserting the words "the Commissioners of Public Printing of the State."

The amendment was read first and second times and agreed to.

Amend section 3, in line 19, by striking out the word "five," and and insert "two and one-half per cent.," and amend by striking out the word "ten," in line 20, and insert "five."

The amendment was read first and second times and agreed to.

Amend by striking out section 4.

The amendment was read first and second times and agreed to.

Amend section 5 of printed bill by adding after the word "machinery," in line 3, the following: "not in excess of the amount appropriated therefor."

The amendment was read first and second times and agreed to.

Amend section 5 by striking out "board," wherever it occurs in the clause, and inserting the word "commissioners."

The amendment was read first and second times and agreed to.

Amend section 5, lines 19 and 20, by striking out the words "Governor, Attorney General, Auditor, Secretary of State, and members of said."

The amendment was read first and second times and agreed to.

Amend section 6, in lines 1, 2 and 3, by striking out from the word "members," in line 1, to "and," in line 3, inclusive, and inserting the word "commissioners."

The amendment was read first and second times and agreed to.

Amend line one by striking out the two first words.

The amendment was read first and second times and agreed to.

Amend section 6 by striking out the word "board," wherever it occurs in the section, and inserting the word "commissioners."

The amendment was read first and second times and agreed to.

Amend section 6 by inserting between the words "actual" and "expenses," in line 19, "traveling."

The amendment was read first and second times and agreed to.

Amend by striking out all of section 8 after the word "dollars," in line four.

The amendment was read first and second times and agreed to.

On motion of Senator Ball, Senate bill No. 68, as amended, was ordered engrossed and printed.

On motion of Senator Parcher, Senate bill No. 237 was ordered engrossed and printed.

Senator Johnson of Montgomery presented a remonstrance from citizens of St. Charles against the teaching of German in the public schools, which was referred to the Committee on University, Public and Normal School Education.

On motion of Senator Sears, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Substitute for Senate bill No. 68 being the special order for 2 o'clock, the same was called up.

Senator Parcher offered the following amendment, which was not agreed to :

Amend printed substitute for Senate bill No. 68 by striking out section No. 75.

Senator Gideon offered the following amendment, which was not agreed to :

Amend section 32 of printed bill by striking out in the second line of said section the words "two-thirds."

Senator Gideon offered the following amendment, which was read :

Amend section 74 of printed bill by inserting in the twelfth line, after the word "State," and before the word "any," the words "for an unlawful purpose."

Senator Jacobs offered the following substitute for the amendment, which was not agreed to :

Amend substitute to bill No. 68. Amend section 74 by adding to said section the following : "*Provided*, that nothing in this act shall be so construed to prevent the Grand Army of the Republic, the sons of veterans, or any similar organization, or the soldiers of the late confederacy, from carrying arms in pursuance to the terms of the rituals of their respective organizations."

Senator Sebree offered the following substitute for the amendment, which was not agreed to :

Substitute for pending amendment : "*Provided*, this section shall not apply to any society organized under and by virtue of its by-laws, for the purposes of amusement, exercise, charitable or benevolent purposes."

The question recurring on the original amendment offered by Senator Gideon, the amendment was not agreed to.

Senator Johnson of Montgomery offered the following amendment to the section, which was read and not agreed to :

Amend section 74, twelfth line, by inserting between "any" and "military," the word "exclusively."

Senator Parcher offered the following amendment, which was read first and second times and agreed to :

Amend printed bill by adding to section No. 75 the words "and by such members only when on duty."

Senator Sebree offered the following amendment, which was read and not agreed to :

Amend substitute for Senate bill No. 68, by striking out all of article 1, section 1, beginning with the word "but," in the 6th line, and ending with the word "dollars" in the 9th line.

Senator McGinnis offered the following amendment, which was read the first and second times and agreed to :

Amend by striking out the words "Missouri State Guard," wherever they occur in the bill, and insert in lieu thereof the words "National Guard of Missouri."

Senator Claycomb offered the following amendment, which was read first and second times and agreed to:

Amend section 116 by inserting after the word "that" and before the word "more," in the first line of said section, the word "no."

Senator Jacobs offered the following amendment, which was read first and second times and agreed to:

Amend section 110 by striking out in the 3d and 4th lines of said sections, the following words: "under the name of the Missouri State Guard."

Senator Jacobs offered the following amendment, which was read first and second times and agreed to:

Amend by striking out the word "may," in the 3d line in section 112, and inserting in lieu thereof the word "shall."

Senator Castleman offered the following amendment, which was read first and second times and agreed to:

Amend by striking out in 10th line of section 6, figures "110," and insert in lieu thereof "109."

The substitute for Senate bill No. 68, as amended, was adopted:

Senator Sparks moved that substitute for Senate bill No. 68 be engrossed and printed.

The motion was agreed to by the following vote:

AYES—Senators Castleman, Claycomb, Downing, Harmon Hazell, Hunter, Jacobs, Johnson of Montgomery, Mackey, Mansfield, Proctor, Saltonstall, Sears, Sebree, Smith, Sparks, Taggart and Wood—18.

NOES—Davisson, Gideon, Johnson of Madison, Kelly, McGinnis, Parcher and Seabourn—7.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Allen, Ball, Kerwin, Ketchum, Moran, Sheldon, Simrall and Webster—8.

Leave of absence granted Senators Moran and Ketchum until Monday.

Senator Jacobs moved to reconsider the vote by which Senate bill No. 179 was ordered engrossed and printed. The motion was agreed to.

Senator Jacobs offered the following amendment, which was read first and second times and agreed to.

Amend Senate bill No. 179 by inserting after the word "dollars," at the end of the 13th line, the following: "In all counties having twenty thousand inhabitants and less than twenty-five thousand inhabitants, the sum of eight hundred and fifty dollars.

Senator Jacobs offered the following amendment, which was read first and second times and agreed to:

No. 2. Amend by striking out the word "twenty," in the 14th line, and inserting in lieu thereof the word "twenty-five."

Senator Sears moved that the vote by which Senate bill No. 179 went to engrossment be reconsidered. The motion was agreed to, and the bill was recommitted to the Committee on Judiciary.

On motion of Senator Hunter, Senate bill No. 90 was taken up, and the following pending amendment offered by Senator Hazell, read first and second times and not agreed to:

Amend section nine after the word "after," in the fourteenth line, by striking out the word "ten" and inserting the word "five."

Senator Hunter moved that Senate bill No. 90 be engrossed and printed. The motion was agreed to by the following vote:

AYES—Senators Castleman, Davisson, Downing, Harmon, Hunter, Jacobs, Johnson of Madison, Kelly, Mackey, Parcher, Seabourn, Sebree, Smith, Sparks and Taggart—15.

NOES—Senators Claycomb, Gideon, Hazell, Johnson of Montgomery, McGinnis, Proctor, Saltonstall, Sears and Wood —9.

ABSENT—Senators Mansfield and Ryors—2.

ABSENT WITH LEAVE—Senators Allen, Ball, Kerwin, Ketchum, Moran, Sheldon, Simrall and Webster—8.

The following House bills were taken up and read first time:

House bill No. 51, entitled "An act to amend section 4010 of chapter 72 of the Revised Statutes of the State of Missouri, entitled 'Of witnesses;'"

Also, House bill No. 52, entitled "An act to amend section 4014, of chapter 72 of the Revised Statutes of the State of Missouri, entitled 'Of witnesses;'"

Also, House joint and concurrent resolution No. 7, "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to favor the passage of an act for the suppression of pleuro-pneumonia and other contagious diseases among domestic animals;"

Also, House bill No. 20, entitled "An act to amend section 1350, article 3, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure;'"

Also, House bill No. 58, entitled "An act to amend section 2564 of chapter 37 of the Revised Statutes of 1879 of the State of Missouri, entitled 'Of guardians and curators;'"

Also, House bill No. 63, entitled "An act to prevent county commissioners of public schools from granting certificates without first having examined the applicant in the branches required by law to be taught in the public schools;"

Also, House bill No. 74, entitled "An act to prevent diseased stock of any kind from running at large ;"

Also, House bill No. 85, entitled "An act to prevent the use of any substitute for hops, or pure extract of hops, in the manufacture of ale or beer, and to preserve the public health ;"

Also, House bill No. 91, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 31, 1885, by adding the words 'or any other animals,' between the words 'sheep' and 'from,' in the fifth line of said section 12, so that said section shall read as follows :"

Also, House bill No. 105, entitled "An act to amend sections 1 and 2 of an act entitled 'An act to regulate the weighing of coal at mines, and to establish a just and uniform system of weights between employers and employes,' approved March 18, 1885 ;"

Also, House bill No. 197, entitled "An act to amend section 5021, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages ;'"

Also, House bill No. 198 entitled "An act to amend section 5022, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages ;'"

Also, House bill No. 264, entitled "An act to amend section 1532, article 7, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure.'"

The following House bills were read second time and referred to Committees, as follows :

House bill No. 9, entitled "An act to amend section 532, chapter nine (9) of the Revised Statutes of 1879, concerning 'Prosecuting and circuit attorneys,' " to Committee on Judiciary ;

House bill No. 11, entitled "An act making all contracts hereafter made limiting the time in which suit may be brought, null and void," to Committee on Judiciary ;

House bill No. 15, entitled "An act to amend section 2931 of article 6 of chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts,' " to Committee on Justices of the Peace ;

House bill No. 18, entitled "An act to prevent the granting, sending or delivering free passes or tickets, or passes or tickets at a discount, to members of the General Assembly, members of State Board of Equalization, any State, judicial, county or municipal officer, by any railroad or other transportation company, or any officer, agent or employe of any such company, and to prevent any of said officers from accepting, using or traveling on the same," to Committee on Railroads and Internal Improvements ;

House No. 50, entitled "An act to provide for the payment of temporary judges," to Committee on Judiciary ;

House bill No. 147, entitled "An act to amend an act entitled 'An act to amend section one thousand three hundred and sixty-four (1364) of article 3 chapter 24 of the Revised Statutes of Missouri of 1879, entitled 'Crimes and criminal procedure—offenses against public and private property,' approved March 20, 1885," to Committee on Railroads and Internal Improvements.

The following Senate bill was read second time and referred to Committee on Railroads and Internal Improvements :

Senate bill No. 280, entitled "An act to authorize railroad companies to use in common, railroad tracks in cities of over forty thousand inhabitants, and providing for the appointment, and prescribing the powers and duties of a terminal superintendent of such tracks, and the mode and manner in which a railroad company may acquire an easement over such tracks, and the compensation to be paid therefor."

Senator Davisson granted leave of absence until Tuesday.

Senate bill No. 4 was laid over informally.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 165, entitled "An act to repeal section 2400 of chapter 32, Revised Statutes of 1879, entitled "Of executions,' and to enact a new section in lieu thereof, to be known as section No. 2400 ;"

Senate bill No. 155, entitled "An act to amend section forty-six (46) of an act entitled 'Roads, highways and bridges under township organization,' approved March 29, 1883 ;"

Senate bill No. 204, entitled "An act to repeal an act entitled 'An act creating a board of health for the State of Missouri, defining its duties and powers and fixing the compensation of its officers,' approved March 29, 1883, and to enact new sections in lieu thereof ;"

Senate bill No. 228, entitled "An act to amend section 3376 of chapter 56 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of partition ;'"

Senate bill No. 236, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885 ;"

Senate bill No. 238, entitled "An act to amend section 1268 of article 2, of chapter 24 of the Revised Statutes of the State of Missouri of 1879 ;"

Senate bill No. 242, entitled "An act to amend section 2812, article 1 of chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts ;'"

Senate bill No. 245, entitled "An act to provide for the making publication and distribution of a digest of the reports of the Supreme Court and the courts of appeals of this State, and for appropriation of money therefor ;"

Senate bill No. 248, entitled "An act to amend section 237, chapter 1, article 10 of the Revised Statutes of Missouri, entitled 'Administration—annual and final settlements ;'"

Senate bill No. 162, entitled "An to repeal section 5018, article 6, chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact four new sections in lieu thereof, to be known and designated sections 5018, 5018*a*, 5018*b* and 5018*c* ;"

Senate bill No. 163, entitled "An act to repeal section 5019, article 6, chapter 89 of the Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact seventeen new sections in lieu thereof, to be known and designated as sections 5019*a*, 5019*b*, 5019*c*, 5019*d*, 5019*e*, 5019*f*, 5019*g*, 5019*h*, 5019*i*, 5019*j*, 5019*k*, 5019*l*, 5019*m*, 5019*n*, 5019*o*, 5019*p* ;"

Senate bill No. 219, entitled "An act to amend section 6986, Revised Statutes of Missouri, 1879."

The following communication was received from the House of Representatives through its Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed substitute for House bill No. 28, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeal, and providing for distribution and sale thereof,' approved March 31, 1885, by adding a new section thereto, to be known as section 15*a*, providing for the publication or purchase and distribution of the first sixteen volumes of the Missouri Appeal Reports ;"

Also, House bill No. 96, entitled "An act to amend section 2599 of chapter 37 of the Revised Statutes of Missouri of 1879, entitled 'Of guardians and curators,' as amended by an act approved March 28, 1885 ;"

Also, House bill No. 155, entitled "An act to amend section 3705, article 10, chapter 59, entitled 'Of practice in civil cases ;'"

Also, House bill No. 222, entitled "An act to amend section six thousand six hundred and seventy-one and six thousand six hundred and seventy-three of the Revised Statutes of Missouri, relating to boards of equalization ;"

In which the concurrence of the Senate is respectfully requested.

The following Senate bills were ordered engrossed and printed:

Senate bill No. 247, entitled "An act entitled an act to amend section 5032 of the Revised Statutes of Missouri, entitled 'Of villages;'"

Senate bill No. 23, entitled "An act to authorize the board of public improvements of any city in this State to audit and allow claims against such city for work done and materials furnished on any street or highway, under a contract with such city;"

Senate bill No. 258, entitled "An act to amend section 1 of an act entitled 'An act to amend section 13 of an act entitled an act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof,' approved February 2, 1871, changing the time of holding court and providing for changes of venue in said county, approved February 8, 1872;"

Senate bill No. 152, entitled "An act entitled an act to amend chapter 98 of the Revised Statutes of Missouri, 1879, entitled 'Of dram-shops,'" by adding two new sections thereto, to be known as section 5468*a* and section 5468*b*;

Senate bill No. 202, entitled "An act to prohibit the sale of intoxicating liquors within (3) three miles of the Avalon College, situated in Livingston county, Missouri;"

Senate bill No. 136, entitled "An act entitled an act to establish the office of circuit attorney in the various judicial circuits of the State, and to provide for the election of such officers at the general election in 1888, and to prescribe their duties as such;"

Senate bill No. 137, entitled "An act to amend an act entitled 'An act in relation to prosecuting and circuit attorneys,' by repealing sections 512, 513, 514, 515, 516, 517 and 518 of chapter 9, article 2, Revised Statutes of Missouri, and to enact new sections in lieu thereof, of the same numbers, to read as follows:"

Senate bill No. 71 was laid over informally.

Leave of absence granted Senators Proctor and Jacobs until Monday.

Senator Downing moved that the rules be suspended and Senate bill No. 177 be engrossed and printed. The motion was agreed to.

The following House bills were read first time:

House bill No. 222, entitled "An act to amend section six thousand six hundred and seventy-one and six thousand six hundred and seventy-three of the Revised Statutes of Missouri, relating to boards of equalization;"

House bill No. 96, entitled "An act to amend section 2599 of chapter 37 of the Revised Statutes of Missouri of 1879, entitled 'Of guardians and curators,' as amended by an act approved March 28, 1885;"

House bill No. 155, entitled "An act to amend section 3705, article 10, chapter 59, entitled 'Of practice in civil cases;'"

Substitute for House bill No. 28, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeal, and providing for distribution and sale thereof,' approved March 31, 1885, by adding a new section thereto, to be known as section 15a, providing for the publication or purchase and distribution of the first sixteen volumes of the Missouri Appeal Reports."

Leave of absence granted Senator Wood until Saturday next.

On motion of Senator McGinnis, the Senate adjourned until Monday 2 o'clock P. M.

TWENTY NINTH DAY—MONDAY, February 14, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Leave of absence granted Senator Webster for one week.

Leave of absence granted Senator Smith until to-morrow; also to Senator Jacobs until Wednesday.

Senator Gideon introduced Senate bill No. 290, entitled "An act to prevent any person or persons from coming into this State, whether operating under the head of a detective force or agency or not, without a requisition, and to arrest, detain or imprison any person without legal authority, and to prevent corporations from employing a detective or armed force from guarding corporate property, unless such force is under the immediate control of the sheriff or other officer authorized to make arrests and protect such property," which was read first time and 75 copies ordered printed.

Senator Downing offered the following resolution, which was read and adopted:

WHEREAS, The St. Louis Republican, on Saturday, February 11, 1887, published the following: "A disgraceful and dangerous custom of pooling issues has sprung up in the Senate, and is carried out to an enormous extent. Senators in order to secure support for measures they are interested in barter their votes with other Senators," etc. And

WHEREAS, Said report is a reflection upon the honor and integrity of this body, and calculated to bring reproach upon its proceedings therefore, be it

Resolved, That we denounce the same as unwarranted, untrue and absolutely false.

Resolved, That these resolutions be published in full in the proceedings of the Senate.

Senator Gideon offered a petition from 1,500 Knights of Labor asking the passage of Senate bill No. 290, which was referred to the Committee on Criminal Jurisprudence.

Senator Sparks introduced Senate bill No. 291, entitled "An act requiring railroad companies or corporations to use upon any new freight car to be built or purchased on and after September 1, 1888, such couples as can be coupled and uncoupled automatically," which was read first time and 75 copies ordered printed.

Senator Seabourn introduced Senate bill No. 292, entitled "An act to amend section 985 of the Revised Statutes of 1879, entitled 'Of costs in civil cases,' by striking out certain words and inserting other words in lieu thereof," which was read first time and 75 copies ordered printed.

The Committee on Railroads and Internal Improvements introduced Senate bill No. 293, entitled "An act to prevent extortion, unjust discrimination and pooling by railroad corporations, to increase the powers and enlarge the duties of the Railroad Commissioners, and to repeal sections 833, 834 and 842 of the Revised Statutes, 1879, and other acts inconsistent with the provisions of this act," which was read first time, rules suspended, 2,500 copies ordered printed and bill ordered to take precedence of other printing.

Senator Taggart introduced Senate bill No. 294, entitled "An act to reorganize Lincoln Institute, making it a separate institution of the State, and to repeal all acts and parts of acts inconsistent with this act so far as the same relate to Lincoln Institute," which was read first time and 75 copies ordered printed.

Senator Downing introduced Senate bill No. 295, entitled "An act to amend section 5436, chapter 98, Revised Statutes, 1879, entitled 'Of

dramshops,' and to repeal section 5442 of said chapter, as amended by act entitled 'An act to amend sections 5438, 5440, 5441, 5442, 5456, 5464, to repeal section 5462 of chapter 98, and adding three new sections thereto, entitled 'Of dramshops,' approved March 24, 1883, and enact a new section in lieu thereof, to be known as section 5442, and add two new sections," which was read first time and 75 copies ordered printed.

Senator Claycomb submitted the following report from the Committee on Labor, Mines and Manufactories, which was read :

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was recommitted Senate bill No. 139, entitled "An act to provide for the drainage of lead and zinc mines, and to regulate the liability of the owners of mineral bearing lands and the lessees thereof who are benefitted by drainage," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments :

Amend by striking out all of section 2 and insert in lieu thereof, the following: "Section 2. The owners of such mineral bearing lands and mines, only when working and operating the same by their servants, agents and employes, and all persons mining upon and taking lead and zinc ore, either or both therefrom, under and by virtue of a lease in writing, signed by the owner thereof or by his lawfully authorized agent, who shall be benefitted by such drainage, shall each be liable for his proportionate share of the actual and necessary cost and expense of doing such drainage, and upon the failure, neglect or refusal of any such person so liable to pay or satisfactorily provide for the payment of his proportionate share of such drainage, the person, company or corporation performing the work of drainage, may sue for and recover the same in any court of competent jurisdiction, and such suit may be instituted against any one or more, or jointly against all so liable, and if the finding is in favor of the plaintiff, then the verdict of the jury, if the cause be submitted to a jury, otherwise the judgment of the court trying the cause, shall distinctly specify the amount to be paid by each defendant: *Provided, however,* before instituting suit for the purposes aforesaid, the person, company or corporation seeking to recover for such drainage, shall deliver to the person or persons from whom such drainage is sought to be recovered, an itemized statement of the cost and expense so incurred, and demand of each his proportionate share thereof, and this requirement shall be a condition precedent to the right of recovery.

The amendment was read first and second times and agreed to.

Amend section 8 by adding at the end thereof, the following

words: "*Provided, however,* that the provisions of this act shall under no circumstances, be so construed as to require the person or persons so liable for drainage to pay as his or their proportionate share thereof any amount exceeding seven and one-half per cent. of the market value of the ores taken from such mine or mines."

The amendment was read first and second times and agreed to.

Amend section 9 by striking out all after the word "machinery," in the 11th and 12th lines, and insert in lieu thereof the words, "or appliances in a mine on land contiguous to the mine owned, controlled or operated by the person, company or corporation asking drainage, and so closely situated thereto and of sufficient capacity to materially assist in draining the same territory."

The amendment was read first and second times and agreed to.

Amend by adding a new section, to be numbered section 10, in words and figures as follows: Section 10. Each and every person so paying his proportionate share of the actual and necessary cost and expense of drainage as provided in this act, shall be entitled to take and use free of charge for the purpose of washing his mineral, such a portion of the water raised from such drainage mine as he may be reasonably and equitable entitled to: *Provided, however,* that the person, company or corporation working and operating the machinery necessary to effect such drainage, shall be first supplied with the water required to answer their purposes in the operation of such machinery and in washing their mineral.

The amendment was read first and second times and agreed to.

The bill, as amended, was ordered engrossed and printed.

Senator Sebree was reported sick.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 259, entitled "An act to amend sections one and two and to repeal section seven of an act to provide for the ascertainment of and payment for damages done by municipal corporations to private property for public use, as directed by section 21, article 2 of the State Constitution, entitled 'Cities, towns and villages—damages to private property for public use,' " to Committee on Corporations other than Railroads and Insurance;

Senate bill No. 260, entitled "An act to amend sections 3172 and 3192 of article 1, chapter 47 of the Revised Statutes of the State of Missouri of 1879, entitled 'Mechanics' liens,' " to Committee on Judiciary;

Senate bill No. 262, entitled "An act to amend section 5622 of the Revised Statutes of Missouri for the year 1879, as amended by an act

entitled an act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' approved March 18, 1885," to Committee on Justices of the Peace;

Senate bill No. 263, entitled "An act to prevent fire insurance companies from charging a fee or premium upon gasoline stoves," to Committee on Insurance;

Senate bill No. 264, entitled "An act to amend section 6334, chapter 129 of the Revised Statutes of Missouri, of 1879, and by adding a new section thereto to be known as section 6341 α ," to Committee on Criminal Jurisprudence;

Senate bill No. 265, entitled "An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of 150,000 inhabitants or more, and providing for their compensation," to Committee on Judiciary;

Senate bill No. 266, entitled "An act to amend section 5529 of chapter 101, of the Revised Statutes of Missouri, entitled 'Of elections,'" to Committee on Judiciary;

Senate bill No. 267, entitled "An act to repeal section 7531 of article 1, of chapter 164 of the Revised Statutes of Missouri, 1879, entitled 'Of the State Treasury,'" to Committee on Judiciary;

Senate bill No. 268, entitled "An act relating to stenographers for certain courts, and regulating the fees for their services," to Committee on Judiciary;

Senate bill No. 269, entitled "An act to amend sections 184, 185 and 189, article 9, chapter 1, of the Revised Statutes of Missouri, entitled 'Of the administration of the estates of deceased persons,'" to Committee on Judiciary;

Senate bill No. 270, entitled "An act to amend an act entitled 'An act to repeal section 7125, article 1, chapter 150 of the Revised Statutes of Missouri, 1879, entitled 'Of schools,' and to insert in lieu thereof a new section,'" to Committee on Ways and Means;

Senate bill No. 271, entitled "An act to repeal section 2174 of chapter 28 of the Revised Statutes of Missouri, entitled 'Of divorce, alimony and custody of children,'" to Committee on Judiciary;

Senate bill No. 272, entitled 'An act to amend section 29 of an act entitled 'An act to repeal section 7489; also sections 7490 and 7491, as amended by an act entitled 'An act to amend section 7446, article 4; sections 7455, 7457, article 5; section 7470, article 7; section 7485, article 9; sections 7490 and 7491, article 11; sections 7535 and 7538, article 13, all in chapter 162 of the Revised Statutes of Missouri, relating to township organization,' approved March 17, 1881; also, sections 7492, 7493, 7494; also, section 7495, as amended by an act entitled 'An act to amend section 7495, article 11, chapter 162, Revised Statutes of Mis-

souri, entitled 'Of township organization, relating to roads and highways,' approved March 26, 1881; also, sections 7496, 7497, 7498, 7499, 7500, 7501, 7502, 7503, 7504, 7505, 7506, 7507, 7508, 7509, 7510, 7511, 7512, 7513; also, section 7514, as amended by an act entitled 'An act to amend section 7514, article 11, of chapter 162 of Revised Statutes of the State of Missouri, relating to roads and highways under township organization,' approved March 26, 1881; also, sections 7515, 7516, 7517, 7518, 7519, 7520, 7521 and 7522, all of article 11, chapter 162 of the Revised Statutes of Missouri, and relating to roads, highways and bridges under township organization, and enacting new sections in lieu thereof,' approved March 29, 1883," to Committee on Agriculture, Roads and Highways;

Senate bill No. 273, entitled "An act to amend section 1253 of chapter 24, article 2 of the Revised Statutes of the State of Missouri, relating to 'Offenses against the lives and persons of individuals,'" to Committee on Criminal Jurisprudence;

Senate bill No. 274, entitled, "An act to amend chapter 104, Revised Statutes of Missouri, 1879, entitled 'Of fences and inclosures,' by adding a new section thereto, to be known as section 5671a,'" to Committee on Agriculture, Roads and Highways;

Senate bill No. 275, entitled "An act to amend article 2 of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, to be designated as section 7154a,'" to Committee on Corporations other than Railroads and Insurance;

Senate bill No. 276, entitled "An act to amend section 6489 of the Revised Statutes of 1879, as amended by act of the General Assembly, approved March 31, 1883," to Committee on Ways and Means;

Senate bill No. 277, entitled "An act to amend section 743 of article 1, chapter 21, Revised Statutes of the State of Missouri, 1879, entitled 'Of private corporations,'" to Committee on Judiciary;

Senate bill No. 278, entitled "An act to amend section 743 of article 1, chapter 21, Revised Statutes of the State of Missouri, 1879, entitled 'Of private corporations,'" to Committee on Corporations other than Railroads and Insurance;

Joint and concurrent resolution No. 12, instructing our Senators and requesting our Representatives in Congress to use their efforts to secure the appropriation of \$50,000 for the purpose of straightening Grand river, to the Committee on Federal Relations.

Senate bill No. 32 was laid over informally.

The following Senate bills were taken up and ordered engrossed and printed:

Senate bill No. 221, entitled "An act to amend section one thousand and seventy-seven (1077,) article two (2,) chapter twenty-three (23) of the Revised Statutes of 1879, relating to the Supreme Court ; "

Senate bill No. 229, entitled "An act to amend section four thousand and forty-three, Revised Statutes of 1879 ;"

Senate bill No. 47, entitled "An act to enable the council of any incorporated town or city in this State having a special charter and containing ten thousand inhabitants or less, to cause the owner or owners of property or lots on any alley or street in said town or city to build and repair sidewalks adjacent to said property or lot, and in default of so doing on the part of said owner or owners thereof, to enable such town or city council to build and repair any sidewalk, and make the costs and expense thereof a lien on the property or lot adjacent to said sidewalk so built or repaired, and to fix the compensation of the mayor of such town or city and the councilmen thereof, and to provide for the appointment of a constable and fix his salary, and such policemen as may be necessary, and to fix the compensation of such policemen and of the councilmen of such town or city, and to provide for the appointment and compensation of a street and sidewalk overseer."

The following House bills were read second time and referred to committees, as follows :

House bill No. 85, entitled "An act to prevent the use of any substitute for hops, or pure extract of hops, in the manufacture of ale or beer, and to preserve the public health," to Committee on Criminal Jurisprudence ;

House bill No. 91, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 31, 1885, by adding the words, 'or any other animals,' between the words 'sheep' and 'from,' in the fifth line of said section 12, so that said section shall read as follows," to Committee on Agriculture, Roads and Highways ;

House bill No. 198, entitled "An act to amend section 5022, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,'" to Committee on Corporations other than Railroads and Insurance ;

House bill No. 105, entitled "An act to amend sections 1 and 2 of an act entitled 'An act to regulate the weighing of coal at mines, and to establish a just and uniform system of weights between employers and employes,' approved March 18, 1885," to Committee on Labor, Mines and Manufactories ;

House bill No. 58, entitled "An act to amend section 2564 of chapter 37 of the Revised Statutes of 1879 of the State of Missouri, entitled 'Of guardians and curators,'" to Committee on Judiciary ;

House bill No. 197, entitled "An act to amend section 5021, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,'" to Committee on Corporations other than Railroads and Insurance;

Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to favor the passage of an act for the suppression of pleuro-pneumonia and other contagious diseases among domestic animals," to Committee on Agriculture, Roads and Highways;

House bill No. 20, entitled "An act to amend section 1350, article 3, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" to Committee on Criminal Jurisprudence;

House bill No. 63, entitled "An act to prevent county commissioners of public schools from granting certificates without first having examined the applicant in the branches required by law to be taught in the public schools," to Committee on University, Public and Normal School Education;

House bill No. 264, entitled "An act to amend section 1532, article 7, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" to Committee on Criminal Jurisprudence;

House bill No. 74, entitled "An act to prevent diseased stock of any kind from running at large," to Committee on Agriculture, Roads and Highways;

House bill No. 52, entitled "An act to amend section 4014 of chapter 72 of the Revised Statutes of the State of Missouri, entitled 'Of witnesses,'" to Committee on Judiciary;

House bill No. 51, entitled "An act to amend section 4010 of chapter 72 of the Revised Statutes of the State of Missouri, entitled 'Of witnesses,'" to Committee on Judiciary;

House bill No. 28, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeal, and providing for distribution and sale thereof,' approved March 31, 1885, by adding a new section thereto, to be known as section 15a, providing for the publication or purchase and distribution of the first sixteen volumes of the Missouri Appeal Reports," to Committee on Judiciary;

House bill No. 96, entitled "An act to amend section 2599 of chapter 37 of the Revised Statutes of Missouri of 1879, entitled 'Of guardians and curators,' as amended by an act approved March 28, 1885," to Committee on Judiciary;

House bill No. 155, entitled "An act to amend section 3705, article 10, chapter 59, entitled 'Of practice in civil cases,'" to Committee on Judiciary;

House bill No. 222, entitled "An act to amend section six thousand six hundred and seventy one and six thousand six hundred and seventy-three of the Revised Statutes of Missouri relating to boards of equalization," to Committee on Township Organization, Representative Apportionment and County Boundaries.

Senator Seabourn moved to reconsider the vote by which Senate bill No. 206 was ordered engrossed and printed. The motion was agreed to.

Senator Seabourn offered the following amendment:

Amend section 2 of printed bill No. 206 by striking out the word "fund," in the 4th line, and inserting the word "moneys."

The amendment was read first and second times and agreed to.

Senator Seabourn moved that Senate bill No. 206 be engrossed and printed, as amended. Agreed to.

Senator Castleman moved to consider the vote by which Senate bill No. 293 was ordered printed. Agreed to.

Senator Castleman moved to amend the motion to print by inserting "2500" instead of "500."

Senator Gideon moved as a substitute for the amendment, 600 copies, which was not agreed to.

Senator Hazell moved to amend by inserting 1000 copies instead of 2500 copies, which was not agreed to.

The question recurring on Senator Castleman's amendment, it was agreed to.

Senate bill No. 66, entitled "An act to regulate the sale of morphine and any of its salts, and providing a penalty," was read third time and passed by the following vote:

AYES—Senators Castleman, Claycomb, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sparks and Taggart—19.

NO—Senator Downing.

ABSENT—Senator Harmon.

ABSENT WITH LEAVE—Senators Allen, Ball, Davisson, Jacobs, McGinnis, Moran, Proctor, Sheldon, Simrall, Smith, Webster and Wood—12.

SICK—Senator Sebree.

The title was read and agreed to.

On motion of Senator Johnson of Montgomery, that the vote by which the bill passed be reconsidered and that motion laid on the table, the latter motion prevailed.

Senate bill No. 211, entitled "An act to amend an act entitled

'An act to amend section 3 of an act to amend sections 1127, 1135 and 1165 of the Revised Statutes, 1879, entitled 'Circuit courts, and attaching the county of Taney to the 21st judicial circuit,' approved March 22, 1883,' " was read third time and passed by the following vote:

AYES—Senators Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sparks and Taggart—21.

ABSENT WITH LEAVE—Senators Allen, Ball, Davisson, Jacobs, McGinnis, Moran, Proctor, Sheldon, Simrall, Smith, Webster and Wood—12.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed, and Senator Ketchum moved to lay that motion on the table. The latter motion prevailed.

Senate bill No. 197, entitled "An act to amend article 2 of chapter 48 of the Revised Statutes of Missouri, entitled 'Of the limitation of actions,' by adding thereto a new section, to be known as No. 3253½, relating to the deduction of the time that setoff, counter-claim, etc., is pending, from the statutory period of limitation,'" was read third time and passed by the following vote:

AYES—Senators Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Ryors, Saltonstall, Sears, Sparks and Taggart—21.

ABSENT WITH LEAVE—Senators Allen, Ball, Davisson, Jacobs, McGinnis, Moran, Proctor, Sheldon, Simrall, Smith, Webster and Wood—12.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Taggart moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 198, entitled "An act to amend chapter 64 of the Revised Statutes of Missouri, entitled 'Of setoff,' by adding thereto a new section, to be known as No. 3878½, relating to the rights of parties filing setoffs," was read third time and passed by the following vote:

AYES—Senators Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sparks and Taggart—18.

NOES—Senators Gideon, Johnson of Madison and Ketchum—3.

ABSENT WITH LEAVE—Senators Allen, Ball, Davisson, Jacobs, McGinnis, Moran, Proctor, Sheldon, Simrall, Smith, Webster and Wood—12.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Mackey moved the reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 201, entitled "An act to amend chapter 18, Revised Statutes, 1879, of Missouri, entitled 'Of constables,' by adding a new section thereto, to be known as section 650a," was read third time and passed by the following vote :

AYES—Senators Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Ryors, Seabourn, Sears, Sparks and Taggart—20.

NOES—Senators Harmon and Saltonstall—2.

ABSENT WITH LEAVE—Senators Allen, Ball, Davisson, Jacobs, Moran, Proctor, Sheldon, Simrall, Smith, Webster and Wood—11.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Ryors moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 215, entitled "An act to provide for service of process in proceedings to contest corporate elections," was read third time and passed by the following vote :

AYES—Senators Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sparks and Taggart—22.

ABSENT WITH LEAVE—Senators Allen, Ball, Davisson, Jacobs, Moran, Proctor, Sheldon, Simrall, Smith, Webster and Wood—11.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Claycomb moved to reconsider the vote by which the bill passed, and to lay that motion on table. The latter motion prevailed.

Senate bill No. 101, entitled "An act to amend section 2804 of article 1 of chapter 44 of the Revised Statutes of the State of Missouri, entitled 'Of justices courts,' by adding a new clause thereto," was read third time and failed to pass by the following vote :

AYES—Senators Castleman, Downing, Gideon, Harmon, Hazell,

Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Seabourn and Sears—16.

NOES—Senators Claycomb, Ryors, Salstontall, Sparks, and Taggart—5.

ABSENT—Senator McGinnis.

ABSENT WITH LEAVE—Senators Allen, Ball, Davisson, Jacobs, Moran, Proctor, Sheldon, Simrall, Smith, Webster and Wood—11.

SICK—Senator Sebree.

Senator Sears called up Senate bill No. 203, entitled "An act to repeal section 1 of the sessions acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record, approved April 2, 1883, and to enact a new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit."

Senator Sears offered the following amendment, which was read first and second times and agreed to:

Amend section 1171 in line seven by striking out the word "first," before "Monday," and inserting in lieu the word "second;" and by striking out in the same line the word "second," and inserting the word "third," and by inserting in the 8th line between the words "and" and "December," "the second Monday in," and by inserting in the 9th line between the words "the" and "Monday," the word "third," and by inserting in 11th line between the words "the" and "Monday," the word "fourth," and by inserting in the 12th line between the words "the" and "Monday," the word "second;" and in the 13th line between the words "and" and "November," by inserting the words "the first Monday in;" and in the 14th line between the words "the" and "Monday," the word "first;" and in the same line between the words "in" and "at," the word "September."

The bill, as amended, was ordered engrossed and printed.

On motion of Senator Gideon, the Senate adjourned until tomorrow morning at 10 o'clock.

THIRTIETH DAY—TUESDAY, February 15, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following communication was received from the House of Representatives, through Mr. Hornbuckle, Chief Clerk, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 61, entitled "An act to amend section 3482 of article three of chapter 59 of the Revised Statutes of Missouri of 1879, entitled 'Of practice in civil cases, and of the place for bringing suits;'"

Also, House bill No. 107, entitled "An act to amend sections 7148 and 7152 of article 2, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools;'"

Also, House bill No. 140, entitled "An act to amend section 2121 of the Revised Statutes of the State of Missouri;"

Also, House bill No. 194, entitled "An act to repeal an act entitled 'An act to repeal section 7023, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to insert a new section in lieu thereof, approved March 29, 1883, and to enact a new section in lieu thereof, to be numbered 7023.'"

In which the concurrence of the Senate is respectfully requested.

Senator Ball presented a petition from citizens of various parts of State asking the passage of House bill No. 137, which was referred to Committee on Ways and Means.

Senator Downing presented a remonstrance against the submission of a prohibitory amendment to the Constitution, which was referred to Committee on Constitutional Amendments.

Senator Proctor presented a petition from various sections of the State, asking the passage of House bill 199, making colts liable for the service of stallion, which was referred to Committee on Agriculture, Roads and Highways.

Senator Smith presented a petition from citizens of St. Francois county against the employment of children in mines and manufactories, which was referred to the Committee on Labor, Mines and Manufactories.

The following petitions, favoring the submission of a prohibitory amendment to the Constitution, were presented and referred to Committee on Constitutional Amendments:

By Senator Smith, from citizens of Cape Girardeau county.

By Senator Proctor, from citizens of Dallas county.

Senator Davisson presented a petition from citizens of St. Louis

against the employment of children in mines and manufactories, which was referred to Committee on Labor, Mines and Manufactories.

Senator Hunter submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 178, entitled "An act to authorize county courts to provide for the payment and to pay for bridges, court houses, jails or other public buildings, erected or repaired, or for improvements thereon in certain cases," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Downing introduced Senate bill No. 296, entitled "An act to repeal an act entitled 'An act to amend section 513 of the Revised Statutes of 1879, relating to prosecuting and circuit attorneys, approved March 19, 1881, and enact a new section in lieu thereof,'" which was read first time and 75 copies ordered printed.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements to whom was referred House bill No. 147, entitled "An act to amend section 3364 of article 3 of chapter 24 of the Revised Statutes of Missouri, entitled 'Crimes and criminal procedure—offenses against public and private property,' approved March 20, 1885," beg leave to report that they have carefully considered the same and recommend that it do pass.

Senate bill No. 3, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor,'" was taken up.

Senator Smith moved that the bill be made a special order for next Tuesday at 10 o'clock. The motion was not agreed to.

The bill was read the third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Sparks and Taggart—25.

NOES—Senators Ball, Ryors and Smith—3.

ABSENT WITH LEAVE—Senators Jacobs, Moran, Simrall, Webster and Wood—5.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Sheldon moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Allen moved the reconsideration of the vote by which Senate bill No. 218 went to engrossment. The motion was agreed to.

Senator Allen offered the following amendment to the bill, which was read first and second times and agreed to :

Amend section 3, printed bill, by adding at the end of said section the following words : "To pay for the land so purchased or taken, it shall be the duty of the county court to appropriate the money necessary therefor out of any money in the treasury of the county, not otherwise appropriated. Upon payment to the owners of the land so taken, or into court for them, the amount allowed them, the county shall be entitled to a writ for the possession of said land, to be made returnable within thirty days. County courts shall have the same powers and be subject to the same restrictions in the selection and acquiring of lands for the erection of court houses and jails at places other than county seats where terms of the circuit court are now, or hereafter may be authorized to be held, as they have conferred upon them and are subject to in selecting and acquiring grounds for their respective counties at the county seat for like purposes."

The bill, as amended, was ordered engrossed and printed.

Senator Simrall granted leave of absence until to-morrow.

Senate bill No. 8, entitled "An act to enforce compliance with section twenty-four (24) of article twelve (12) of the Constitution of Missouri," was taken up and read third time and failed to pass by the following vote :

AYES—Senators Castleman, Claycomb, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Saltonstall, Seabourn, Sears, Smith and Taggart—15.

NOES—Allen, Ball, Davisson, Downing, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors and Sparks—12.

ABSENT—Senator Sheldon.

ABSENT WITH LEAVE—Senators Jacobs, Moran, Simrall, Webster and Wood—5.

SICK—Senator Seabee.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT : Your Committee on Engrossed Bills, to whom was referred Senate bill No. 161, entitled "An act to provide for the selection of a depository for the county funds of each of the counties of this State ;"

Also, Senate bill No. 168, entitled "An act to place the streets and alleys in unincorporated towns and villages under the control of the county courts and road overseers ;"

Also, Senate bill No. 53, entitled "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue;'"

Also, Senate bill No. 74, entitled "An act to amend section 3833, chapter 62 of the Revised Statutes of Missouri, entitled 'Of recorders of deeds;'"

Also, Senate bill No. 93, entitled "An act to guard more sacredly the money and property belonging to the various counties in this State, and to insure the most careful management of county affairs;"

Also, Senate bill No. 145, entitled "An act to amend section 1 of an act entitled 'An act to amend section 6879, and to repeal section 6880 and enact a new section in lieu thereof,' and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads;,' also enact a new section numbered 6886a; also an emergency clause, approved March 17, 1885;"

Also, Senate bill No. 226, entitled "An act to amend section 1851, article 17 of chapter 24 of the Revised Statutes of Missouri, entitled 'Proceedings before trial;'"

Also, Senate bill No. 125, entitled "An act to amend an act entitled 'An act to amend section 6879, and to repeal section 6880, and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads;,' also a new section numbered 6886a; also an emergency clause,' approved March 17, A. D. 1885, by adding a new section to be numbered 6886b;"

Also, Senate bill No. 146, entitled "An act repealing an act entitled 'An act providing for a State Veterinary Surgeon, defining his duties and fixing his compensation,' session acts of 1885, and enacting a new act in lieu thereof, entitled 'An act providing for the appointment of a State Veterinary Surgeon, defining his duties and fixing his compensation;'"

Also, Senate bill No. 115, entitled "An act defining the duties of circuit and prosecuting attorneys, and assistant circuit and prosecuting attorneys of courts of this State;"

Also, Senate bill No. 173, entitled "An act to amend section twenty-eight hundred and three (2803), article one (1), chapter forty-four (44) of the Revised Statutes of the State of Missouri of 1879, so as to entitle cities of over one hundred thousand inhabitants or more two justices of the peace in addition to the number allowed by law to the township in which such city may be;"

Also, Senate bill No. 227, entitled "An act to amend an act entitled

‘An act to exempt certain property used exclusively for agricultural and horticultural societies from taxation,’ beg leave to report that they have compared the same and find them to be truly engrossed and that the printed copies thereof furnished to the Senators are correct.

Senator Ball introduced Senate bill No. 297, entitled “An act to authorize county courts to refund county and township bonds at a lower rate of interest,” which was read first time and 75 copies ordered printed.

Senator Allen introduced Senate bill No. 298, entitled “An act to repeal section 4942 of article 5 of chapter 89 of the Revised Statutes of the State of Missouri of 1879, and to enact a new section in lieu thereof,” which was read first time and 75 copies ordered printed.

On motion of Senator Ball, the Senate adjourned until to morrow morning at 10 o’clock.

THIRTY-FIRST DAY—WEDNESDAY, February 16, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Webster presented a petition from citizens of St. Louis county asking for the submission of a prohibitory amendment to the Constitution, which was referred to Committee on Constitutional Amendments.

The following petitions asking the submission of a prohibitory amendment to the Constitution were presented and referred to the Committee on Constitutional Amendments:

By Senator Johnson of Madison, from citizens of Ripley county

By Senator Claycomb, from citizens of Jasper county.

Senator Allen introduced Senate bill No. 299, entitled “An act to

create a park commission in any county in which there is a city now having, or which may hereafter have a population of 50,000 or more; to establish a park district and provide public parks, highways and boulevards therein," which was read first time, rules suspended and bill ordered not printed.

Senator Allen introduced Senate bill No. 300, entitled "An act to amend section 5560 of chapter 101, Revised Statutes of the State of Missouri of 1879, entitled 'Of elections,'" which was read first time and 75 copies ordered printed.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 9, entitled "An act to amend section 532, chapter 9 of the Revised Statutes of 1879, concerning 'Prosecuting and circuit attorneys,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 58, entitled "An act to amend section 2564 of chapter 37 of the Revised Statutes of 1879 of the State of Missouri, entitled 'Of guardians and curators,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 51, entitled "An act to amend section 4010 of chapter 72 of the Revised Statutes of the State of Missouri, entitled 'Of witnesses,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 179, entitled "An act to repeal section 1186 of chapter 23, article 5 of the Revised Statutes of Missouri of 1879, entitled 'Courts of record,' and relating to the fees of judges of probate, and to enact a new section in lieu thereof, relating to the same subject," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Hunter submitted the following report from the Committee on University, Public and Normal School Education, which was read:

MR. PRESIDENT: Your Committee on University, Public and Normal Schools, to whom was referred Senate bill No. 261, entitled "An act granting to the common schools in townships in which saloons are situated one-third of the county revenue derived by the county from such saloon licenses," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Johnson of Montgomery submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 51, entitled "An act to amend section 1308, article 3, chapter 24 of the Revised Statutes of Missouri of 1879, concerning the punishment for grand larceny;"

Also, Senate bill No. 237, entitled "An act to provide for the establishment of a new Normal School district by dividing all that portion of the State of Missouri lying north of the Missouri river, and known as Normal School District No. 1, into two districts, to be known hereafter as Normal School Districts No. 1 and No. 4; and also to establish a Normal School at or near Maryville, Nodaway county, State of Missouri, to be known as Normal School No. 4, and to provide for the erection of suitable buildings, and to appropriate money therefor, and to repeal all acts and parts of acts inconsistent herewith;"

Also, Senate bill No. 69, entitled "An act to establish a uniform system of text-books to be used in the common schools of Missouri, and to repeal sections 7087, 7088 and 7089 of the Revised Statutes of Missouri of 1879," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished the Senators are correct.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 279, entitled "An act to amend section 832 of chapter 21 of the Revised Statutes of 1879, entitled 'Railroad classification—charges—commissioners,'" to Committee on Railroads and Internal Improvements;

Senate bill No. 281, entitled "An act to amend section 482 of chapter 7 of the Revised Statutes of Missouri, entitled 'Of attorneys at law,'" to Committee on Judiciary;

Senate bill No. 282, entitled "An act to facilitate the assessment and collection of the revenue," to Committee on Ways and Means.

Senate bill No. 283, entitled "An act to repeal sections 1 and 2 of an act approved February 27, 1885, entitled 'Of liens—oleomargarine,'" and to enact a new section in lieu thereof, to be known as section 3199a," to Committee on Criminal Jurisprudence;

Senate bill No. 285, entitled "An act to abolish private seals in this State," to Committee on Judiciary;

Senate bill No. 286, entitled "An act to prevent any teacher of any public school in this State from teaching any language other than the English language, under the provisions of article 1, chapter 150, Revised Statutes of Missouri of 1879, except in counties having a population of

100,000 inhabitants or more, and in the city of St. Louis," to Committee on University, Public and Normal School Education ;

Senate bill No. 287, entitled "An act to amend sections 1 and 7 of chapter X. of the appendix to the Revised Statutes of Missouri, entitled 'Concerning primary elections,'" to Committee on Judiciary ;

Senate bill No. 288, entitled "An act to amend an act approved March 26, 1881, entitled 'Marriage license—regulations,' by adding a new section thereto, to be known as section 7, and to repeal section 7 of said act and enact a new section in lieu thereof, to be known as section 8," to Committee on Judiciary ;

Senate bill No. 289, entitled "An act to prevent physicians, or pretended physicians, from issuing fraudulent prescriptions in this State," to Committee on Criminal Jurisprudence ;

Senate bill No. 290, entitled "An act to prevent any person or persons from coming into this State, whether operating under the head of a detective force or agency or not, without a requisition, and to arrest, detain or imprison any person without legal authority, and to prevent corporations from employing a detective or armed force from guarding corporate property, unless such force is under the immediate control of the sheriff or other officer authorized to make arrests and protect such property," to Committee on Criminal Jurisprudence ;

Senate bill No. 291, entitled "An act requiring railroad companies or corporations to use upon any new freight car to be built or purchased on and after September 1, 1888, such couplers as can be coupled and uncoupled automatically," to Committee on Railroads and Internal Improvements ;

Senate bill No. 292, entitled "An act to amend section 985 of the Revised Statutes of 1879, entitled, 'Of costs in civil cases,' by striking out certain words and by inserting other words in lieu thereof," to Committee on Judiciary ;

Senate bill No. 295, entitled "An act to amend section 5436 of chapter 98, Revised Statutes, 1879, entitled 'Of dramshops,' and to repeal section 5442 of said chapter, as amended by an act entitled 'An act to amend sections 5438, 5440, 5441, 5442, 5456, 5464, to repeal section 5462 of chapter 98, and adding three new sections thereto, entitled 'Of dramshops,' approved March 24, 1883, and enact a new section in lieu thereof, to be known as section 5442, and add two new sections," to Committee on Criminal Jurisprudence.

Senate bill No. 26, entitled "An act entitled an act to amend an an entitled 'A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products,'" was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—27.

NOES—Senators Hazell, Jacobs and McGinnis—3.

ABSENT—Senator Kelly.

ABSENT WITH LEAVE—Senators Moran and Wood—2.

SICK—Senator Seabee.

The emergency clause was passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—28.

NOES—Senators McGinnis and Ryors—2.

ABSENT—Senator Kelly.

ABSENT WITH LEAVE—Senators Moran and Wood—2.

SICK—Senator Seabee.

The title was read.

Senator Downing offered the following amendment to the title, which was adopted :

Amend by striking out the first three words of the title.

Senator Downing offered the following amendment to the title, which was read first and second times and agreed to.

Amend title by adding the following:

“Approved March 21, 1881.”

The title, as amended, was read and agreed to.

Senator Harmon moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 95 was called up and made special order for tomorrow at 11 o'clock.

Senate bill No. 98, was laid over informally.

Senate bill No. 102, entitled “An act to repeal section 1881 of chapter 24, article 27 of the Revised Statutes of Missouri of 1879, in relation to changes of venue in criminal cases, and to enact a new section in lieu thereof relating to same subject,” was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—31.

ABSENT—Senator Kelly.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Sebree.

The emergency clause was read and adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Sparks, Taggart and Webster—28.

NOES—Senators McGinnis, Ryors and Smith—3.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senate bill No. 123, entitled "An act to amend section 3229 of article 2, chapter 48 of the Revised Statutes of the State of Missouri, entitled 'Limitation of actions,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Gideon, Harmon, Hunter, Jacobs, Johnson of Montgomery, McGinnis, Mackey, Moran, Parcher, Ryors, Seabourn, Sheldon, Taggart and Webster—19.

NOES—Senators Claycomb, Hazell, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall, Sears, Simrall, Smith and Sparks—12.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Webster moved that the vote by which the bill passed be reconsidered, and to lay that motion on the table. The latter motion was not agreed to.

Senator Mansfield moved to reconsider the vote by which Senate bill No. 102 passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 141, entitled "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—28.

NOES—Senators Harmon, Moran and Parcher—3.

ABSENT—Senator Kelly.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Sparks moved to reconsider the vote by which the bill passed, and, to lay that motion on the table. The latter motion prevailed.

Senate bill No. 142, entitled "An act to amend an act entitled 'An act to authorize any city containing more than twenty thousand and less than two hundred and fifty thousand inhabitants, existing by virtue of special or local laws, to extend its limits, and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—31.

ABSENT—Senator Kelley.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Seabee.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—30.

ABSENT—Senator Johnson of Madison.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Allen moved that the vote by which the bill passed be reconsidered, and that motion be laid on the table. The latter motion prevailed.

Senate bill No. 144, entitled "An act entitled an act to repeal 'An act to incorporate the town of Dallas, in Bollinger county, Missouri,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—31.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Smith moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 172 was laid over subject to the call of the author.

Senate bill No. 176, entitled "An act amend chapter 103 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of fees,' by adding thereto a new section, to be known as section 5650a," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—31.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Simrall moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 182, entitled "An act to amend section 171, article 8, chapter 1, Revised Statutes of 1879, entitled, 'Administration,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—30.

ABSENT—Senators Davisson and Kelly—2.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Castleman moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 187, entitled "An act to amend section 5637 of chapter 103 of the Revised Statutes of 1879," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Harmon, Hazell, Johnson of Montgomery, Kerwin, Ketchum, McGinnis,

Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Sears, Sheldon, Simrall, Smith and Webster—22.

NOES—Senators Castleman, Gideon, Hunter, Jacobs, Johnson of Madison, Ryors, Seabourn, Sparks and Taggart—9.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Hazell moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 192, entitled "An act in relation to limitations of equitable titles," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Seabourn, Sears, Sheldon, Smith, Sparks, Taggart and Webster—28.

NOES—Senators Ryors, Saltonstall and Simrall—3.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Ball moved that the vote by which the bill passed be reconsidered, and that the motion be laid on the table. The latter motion prevailed.

The President laid before the Senate the following communications from the Governor, which were read:

CITY OF JEFFERSON, February 16, 1887.

SIR: I have the honor to inform the Senate that I have appointed Grandison A. Goben, M. D., George M. Cox, M. D., William Gentry and James B. Prather, to the office of member of State Board of Health of Missouri, for a term ending July 2, 1892, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

CITY OF JEFFERSON, February 16, 1887.

SIR: I have the honor to inform the Senate that I have appointed Albert Merrell, M. D., George Homan, M. D. and Jefferson D. Griffith, M. D., to the office of member of State Board of Health of Missouri, for a term expiring July 2, 1887, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

On motion of Senator Mackey, the appointments of the Governor were taken up, and the Senate confirmed the appointment of Grandison A. Goben, M. D., George M. Cox, M. D., William Gentry and James B. Prather to the office of member of State Board of Health of Missouri, for a term ending July 2, 1892, by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks Taggart and Webster—30.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The Senate confirmed the appointment of Albert Merrell, M. D., George Homan, M. D., and Jefferson D. Griffith, M. D., to the office of member of the State Board of Health of Missouri, for a term expiring July 2, 1887, by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—30.

ABSENT—Senators Kelly and Ryors—2.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Sebree.

Senator Sears introduced Senate bill No. 301, entitled "An act to amend chapter 167, Revised Statutes of Missouri, 1879, entitled 'Of weights and measures,' by adding a new section thereto, to be known as section 7668a," which was read first time and 75 copies ordered printed.

Senator ball introduced Senate bill No. 302, entitled "An act authorizing county collectors to pay into the county treasury pending litigation, money in their hands claimed by both the State and county or municipal townships," which was read first time and 75 copies ordered printed.

Senate bill No. 293, entitled "An act to prevent extortion, unjust discrimination and pooling by railroad corporations; to increase the powers and enlarge the duties of the Railroad Commissioners, and to repeal sections 833, 834 and 842 of the Revised Statutes of 1879, and other acts inconsistent with the provisions of this act," was read second time and referred to Committee on Railroads and Internal Improvements.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements to whom was referred Senate bill No. 280, entitled "An act to authorize railroad companies to use in common railroad tracks in cities of over forty thousand inhabitants, and providing for the appointment, and prescribing the powers and duties of a terminal superintendent of such tracks, and the mode and manner in which a railroad company may acquire an easement over such tracks, and the compensation to be paid therefor," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment.

Amendment recommended by Committee on Railroads and Internal Improvements to Senate bill No. 280:

Amend by adding at end of section 10 of printed bill, the following: *Provided*, that where such terminal superintendent shall be appointed and his compensation fixed by the Board of Railroad Commissioners as herein provided, said compensation so fixed shall be paid monthly by the railroad companies or corporations using said track or tracks in common under the provisions hereof, and each shall pay the same proportion thereof as such company shall be bound to pay of other charges upon the latest assessment made before such payment shall become due; under the provisions of this act, said companies shall be liable jointly and severally therefor in an action by such terminal superintendent; and any company paying more than its share thereof, as herein provided, shall have an action for contribution thereof against such companies as shall not have paid.

The amendment was read first and second times and agreed to.

On motion of Senator Parcher the Senate took a recess until two o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

The following House bills were read first time:

House bill No. 61, entitled "An act to amend section 3482 of article 3 of chapter 59 of the Revised Statutes of Missouri of 1879, entitled 'Of practice in civil cases,' and 'Of the place for bringing suits;'"

House bill No. 107, entitled "An act to amend sections 7148 and 7152 of article 2, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools;'"

House bill No. 140, entitled "An act to amend section 2121 of the Revised Statutes of the State of Missouri;"

House bill No. 194, entitled "An act to repeal an act entitled 'An act to repeal section 7023, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to insert a new section in lieu thereof,' approved March 29, 1883, and to enact a new section in lieu thereof, to be numbered 7023;'"

House bill No. 147, entitled "An act to amend an act entitled 'An act to amend section one thousand three hundred and sixty-four, (1364) of article 3 of chapter 24 of the Revised Statutes of Missouri of 1879, entitled 'Crimes and criminal procedure—offenses against public and private property,' approved March 20, 1885," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall Smith, Sparks, Taggart and Webster—29.

ABSENT—Senators Jacobs and Mackey—2.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The title of the bill was read and agreed to.

The following communication was received from the House of Representatives through Chief Clerk, Mr. Hornbuckle, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 65, entitled "An act to repeal section 384 of the Revised Statutes of Missouri of 1879, and enacting a new section in lieu thereof, to be known as section 384, relating to the appointment of assignees in cases of vacancy;"

Also, House bill No. 129, entitled "An act to amend sections 1 and 2 of an act entitled an act to amend an act entitled 'An act to provide for the payment of wages of labor in the lawful money of the United States,' approved March 31, 1885;"

Also, substitute for House bill No. 26, entitled "An act limiting the time for the institution of suits for dower in real estate;"

Also, House joint and concurrent resolution No. 1, submitting to the legal voters of the State of Missouri an amendment to the State Constitution in relation to the prohibiting of the manufacture and sale of intoxicating liquors, in which the concurrence of the Senate is respectfully requested.

Senate bill No. 208, entitled "An act to provide for completing the records of the probate courts in counties where former judges and clerks thereof have kept minutes of the proceedings thereof but have

failed to enter such proceedings at large in the records of said court," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Davisson, Johnson of Montgomery, McGinnis, Moran, Parcher, Proctor, Sears, Sparks and Webster—10.

NOES—Senators Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Kerwin, Ketchum, Mackey, Mansfield, Ryors, Saltonstall, Seabourn, Sheldon, Simrall, Smith and Taggart—21.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

Sick—Senator Seabee.

Senate bill No. 214, entitled "An act authorizing street railroad companies to change the motive power on their roads, was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—31.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

Sick—Senator Seabee.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks and Webster—30.

ABSENT—Senator Taggart.

ABSENT ON LEAVE—Senators Kelly and Wood—2.

Sick—Senator Seabee.

Senator McGinnis moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 193, entitled "An act to repeal an act entitled 'An act to amend section 5627 of chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees,' approved March 21, 1883, and to enact a new section in lieu thereof,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Sears, Sheldon, Smith, Sparks, Taggart and Webster—26.

NOES—Senators Parcher, Seabourn and Simrall—3.

ABSENT—Senators Harmon and Kerwin—2.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—29.

NOES—Senators Ryors and Seabourn—2.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Ryors moved the consideration of the vote by which Senate bill No. 101 failed to pass on yesterday.

Senate bill No. 101, entitled "An act to amend section 2804 of article 1 of chapter 44 of the Revised Statutes of the State of Missouri, entitled 'Of justices courts,' by adding a new clause thereto," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks and Webster—26.

NOES—Senators Claycomb, Downing, Johnson of Madison, Saltonstall and Taggart—5.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The title of the bill was read and agreed to.

Senator Johnson of Montgomery moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 175, entitled "An act to regulate charitable and educational institutions in the State, and to improve their management and to increase their efficiency, and to provide for the appointment of a State board of commissioners of such public institutions," was read the third time and failed to pass by the following vote:

AYES—Senators Allen, Davisson, Downing, Gideon, Hazell,

Jacobs, Johnson of Madison, Kerwin, Ketchum, McGinnis, Parcher, Proctor, Ryors, Sheldon, Simrall and Webster—16.

NOES—Senators Ball, Castleman, Claycomb, Harmon, Hunter, Johnson of Montgomery, Mackey, Mansfield, Moran, Saltonstall, Seabourn, Sears, Smith, Sparks and Taggart—15.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The following communication was received from the House of Representatives through its Chief Clerk, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 126, entitled "An act to repeal an act entitled 'An act confirming certain powers to the citizens of St. Louis county,' approved March 4, 1857."

In which the concurrence of the Senate is respectfully requested.

The following House bills were read first time:

House bill No. 65, entitled "An act to repeal section 384 of the Revised Statutes of Missouri of 1879, and enacting a new section in lieu thereof, to be known as section 384, relating to the appointment of assignees in cases of vacancy;"

Substitute for House bill No. 26, entitled "An act limiting the time for the institution of suits for dower in real estate;"

House bill No. 126, entitled "An act to repeal an act entitled 'An act confirming certain powers to the citizens of St. Louis county,' approved March 4, 1857;"

House bill No. 129, entitled "An act to amend sections 1 and 2 of an act entitled an act to amend an act entitled 'An act to provide for the payment of wages of labor in the lawful money of the United States,' approved March 31, 1885."

Concurrent resolution No. 1, submitting to the legal voters of the State of Missouri an amendment to the State Constitution in relation to the prohibiting of the manufacture and sale of intoxicating liquors.

Senator Castleman submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate bill No. 196, entitled "An act to prevent insurance companies doing business in this State from entering into combinations for the purpose of governing or controlling the rates charged for fire insurance on property in this State," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Seabourn introduced Senate bill No. 303, entitled "An act

to amend section 1326, Revised Statutes of 1879, entitled 'Of embezzlement,' which was read first time and 75 copies ordered printed.

Senator Moran introduced Senate bill No. 304, entitled "An act to amend chapter 21 of Revised Statutes of Missouri, 1879, entitled 'Of private corporations,' by adding thereto a new article, to be entitled article 11, 'Of training schools for minors,'" which was read first time and 75 copies ordered printed.

On motion of Senator Jacobs, the Senate adjourned until 10 o'clock to-morrow morning.

THIRTY-SECOND DAY—THURSDAY, February 17, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by Rev. Mr. Boone.

Journal of yesterday read and approved.

The following petitions, asking the submission of a prohibitory amendment to the Constitution, were presented and referred to the Committee on Constitutional Amendments:

By Senator Hazell, from citizens of Miller county.

By Senator Taggart, from citizens of Harrison county.

Senator Downing introduced Senate bill No. 305, entitled "An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees," which was read first time and 75 copies ordered printed.

Senator McGinnis introduced Senate bill No. 306, entitled "An act to authorize the appointment of official stenographers by circuit courts of the State of Missouri, for cities having a population of more than 350,000 inhabitants, and providing for their compensation," which was read first time and 75 copies ordered printed.

Senator Allen submitted the following reports from the Committee on Corporations other than Railroads and Insurance, which were read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 278, entitled "An act to amend section 743 of article 1, chapter 21, Revised Statutes of the State of Missouri, 1879, entitled 'Of private corporations,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 198, entitled "An act to amend section 5022, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 275, entitled "An act to amend article II of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, to be designated as section 7154a," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Saltonstall submitted the following reports from the Committee on Constitutional Amendments, which were read:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred resolution setting forth the right of a free people to petition the legislative department for redress of grievances, etc., beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred concurrent resolution No. 10, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning the judicial department, beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred substitute for resolution of Senator Sebree, beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred resolution defining the limitation of governmental power, etc., beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred concurrent resolution No. 4, submitting to the qualified voters of the State of Missouri, an amendment to the Consti-

tution thereof concerning the adoption of a general local option law, beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred an act authorizing a vote of the people to be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State, beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred an act to authorize a vote of the people to be taken at the next general election to be held on the Tuesday next following the first Monday in November, A. D. 1888, upon the question whether or not a convention shall be held for the purpose of revising and amending the Constitution of the State of Missouri, beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Jacobs moved that the rules be suspended, which was agreed to.

Senator Jacobs moved that Senate bill No. 86, entitled "An act to authorize a vote of the people to be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State," be engrossed and printed. The motion was not agreed to by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Jacobs, Johnson of Madison, Kerwin, McGinnis, Proctor, Ryors, Seabourn and Webster—12.

NOES—Senators Castleman, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Ketchum, Mackey, Saltonstall, Sears, Sheldon, Simrall, Smith Sparks and Taggart—15.

ABSENT—Senators Mansfield, Moran and Parcher—3.

ABSENT WITH LEAVE—Senators Gideon, Kelly and Wood—3.

SICK—Senator Seabee.

Senator Mackey submitted the following report from the Committee on Federal Relations, which was read:

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred joint and concurrent resolution No. 12, instructing our Senators and requesting our Representatives in Congress to use all proper means in their legislative capacity, to secure an appropriation of \$50,000 for the purpose of straightening Grand river, beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Smith submitted the following report from the Committee on Penitentiary, which was read :

MR. PRESIDENT: Your Committee on Penitentiary, to whom was referred Senate bill No. 19, entitled "An act to abolish and prohibit the employment, under contract, of convicts and inmates of prisons, jails, penitentiaries and all public reformatory institutions in this State," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Sheldon moved that Senate bill No. 19 be indefinitely postponed, which was agreed to.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 232, entitled "An act to provide for the prevention of accidents to railroad employes and others by requiring that switches, frogs and guard rails be properly blocked," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments:

Amendment No. 1. Amend printed bill by striking out the words "so adjust," between the words "to" and "fill," in the fourth line of section one, and insert in lieu thereof the words "adopt and put in use the best known appliances or invention to."

The amendment was read first and second times and agreed to.

No. 2. Amend by striking out the word "as," at the end of the sixth line of section one.

The amendment was read first and second times and agreed to.

No. 3. Amend by inserting between the words "prevent" and "the," in seventh line of section, the words "as far as possible."

The amendment was read first and second times and agreed to.

Senate bill No. 299, entitled "An act to create a park commission in any county in which there is a city now having or which may hereafter have a population of 50,000 or more, to establish a park district and provide suitable parks, highways and boulevards therein," was read second time and referred to Committee on Corporations other than Railroad and Insurance Companies.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 178, entitled "An act to authorize county courts to provide for the payment, and to pay for bridges, court-houses, jails or other public buildings erected or repaired, or for improvements thereon in certain cases;"

Senate bill No. 261, entitled "An act granting to the common

schools in townships in which saloons are situated, one-third of the county revenue derived by the county from such saloon licenses;”

Senate bill No. 280, entitled “An act to authorize railroad companies to use in common railroad tracks in cities of over 40,000 inhabitants, and providing for the appointment and prescribing the powers and duties of a terminal superintendent of such tracks, and the mode and manner in which a railroad company may acquire an easement over such tracks, and the compensation to be paid therefor;”

Senate bill No. 179, entitled “An act to repeal section 1186 of chapter 23, article 5 of the Revised Statutes of Missouri of 1879, entitled ‘Courts of record,’ and relating to the fees of judges of probate, and to enact a new section in lieu thereof, relating to the same subject;”

Senator Webster moved that Senate bill No. 196, entitled “An act to prevent insurance companies doing business in this State from entering into combinations for the purpose of governing or controlling the rates charged for fire insurance on property in this State,” be indefinitely postponed. The motion was agreed to.

The following House bills were read second time and referred to committees, as follows:

Substitute for House bill No. 26, entitled “An act limiting the time for the institution of suits for dower in real estate,” to Committee on Judiciary;

House bill No. 126, entitled “An act to repeal an act entitled ‘An act confirming certain powers to the citizens of St. Louis county,’ approved March 4, 1857,” to Committee on Criminal Jurisprudence;

House bill No. 61, entitled “An act to amend section 3482 of article 3 of chapter 59 of the Revised Statutes of Missouri of 1879, entitled ‘Of practice in civil cases,’ and ‘Of the place for bringing suits,’” to Committee on Judiciary;

House bill No. 107, entitled “An act to amend sections 7148 and 7152 of article 2, chapter 150 of the Revised Statutes of the State of Missouri, entitled ‘Of schools,’” to Committee on University, Public and Normal School Education;

House bill No. 140, entitled “An act to amend section 2121 of the Revised Statutes of the State of Missouri,” to Committee on Labor, Mines and Manufactories;

House bill No. 194, entitled “An act to repeal an act entitled ‘An act to repeal section 7023, article 1, chapter 150 of the Revised Statutes of Missouri, entitled ‘Of schools,’ and to insert a new section in lieu thereof, approved March 29, 1883, and to enact a new section in lieu thereof, to be numbered 7023,” to Committee on University, Public and Normal School Education;

House bill No. 65, entitled "An act to repeal section 384 of the Revised Statutes of Missouri of 1879, and enacting a new section in lieu thereof, to be known as section 384, relating to the appointment of assignees in cases of vacancy," to Committee Judiciary;

House bill No. 129, entitled "An act to amend sections 1 and 2 of an act entitled an act to amend an act entitled 'An act to provide for the payment of wages of labor in the lawful money of the United States,' approved March 31, 1885," to Committee on Labor, Mines and Manufactories;

Concurrent resolution No. 1, submitting to the legal voters of the State of Missouri an amendment to the State Constitution in relation to the prohibiting of the manufacture and sale of intoxicating liquors, to Committee on Constitutional Amendments;

Senate bill No. 88 was made special order for next Tuesday at 11 o'clock.

The special order being the consideration of Senate bill No. 95 at the hour of 11 o'clock, the same was taken up.

Senate bill No. 95, entitled "An act appropriating money to properly equip the State Agricultural College and Farm of Missouri," was made special order for next Wednesday, at half past 10 o'clock, to be taken up at that time and considered from day to day until disposed of.

The following communication was received from the House of Representatives through its Chief Clerk, Mr. Hornbuckle, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate joint and concurrent resolution No. 6, entitled "Joint and concurrent resolution authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer, to cancel vouchers, destroy warrants and enter settlement on the books of the Auditor and Treasurer," with the following amendment to the report of the committee:

Amend report of committee appointed by the Governor to settle with the Auditor and Treasurer, by striking out all of the first thirty-three lines on page five of said report.

In which the concurrence of the Senate is respectfully requested.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 293, entitled "An act to prevent extortion, unjust discrimination and pooling by railroad corporations; to increase the powers and enlarge the duties of the Railroad Commissioners, and to repeal sections 833, 834 and 842 of the Revised Statutes of 1879, and other acts inconsistent with the provisions

of this act," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment:

Amend printed bill by striking out section 25*a*.

The amendment was read first and second times and agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hunter, Johnson of Madison, Kerwin, Ketchum, Mackey, Mansfield, Moran, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Sparks and Taggart—20.

NOES—Senators Davisson, Gideon, Hazell, Jacobs, Johnson of Montgomery, McGinnis, Parcher, Proctor, Ryors, Smith and Webster—11.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

Senator Johnson of Madison moved that Senate bill No. 293, as amended, be re-committed to Committee on Judiciary. The motion was not agreed to.

Senator Hunter moved to reconsider the vote by which Senate bill No. 86 failed to go to engrossment. The motion prevailed.

Senator Jacobs moved that Senate bill No. 86 be engrossed and printed. The bill was ordered engrossed and printed by the following vote:

AYES—Senators Allen, Claycomb, Davisson, Gideon, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, McGinnis, Mansfield; Moran, Parcher, Proctor, Ryors, Seabourn, Sheldon, Smith and Webster—18.

NOES—Senators Ball, Castleman, Downing, Harmon, Hunter, Kerwin, Ketchum, Mackey, Saltonstall, Sears, Simrall, Sparks and Taggart—13.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

Senator Saltonstall submitted the following report from the Committee on Constitutional Amendments, which was read:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred House joint and concurrent resolution No. 1, submitting to the legal voters of the State of Missouri an amendment to the Constitution thereof in relation to the prohibiting of the manufacture and sale of intoxicating liquors, have duly considered the same and find that with the exception of some slight immaterial verbal differences it is identical in language, and that it is wholly so in form, meaning and purpose with Senate joint and concurrent resolution No. 1, on the same subject, which has been maturely considered and

indefinitely postponed by the Senate, and as the Senate has thus in a determinate manner recorded its judgment on the sole question involved in it, your committee most respectfully recommend that House joint and concurrent resolution No. 1 be also indefinitely postponed.

Senator Sears introduced Senate bill No. 307, entitled "An act to amend article 8 of chapter 145 of the Revised Statutes of Missouri, relating to assessment and taxation of railroads, by adding a new section thereto, to be known as section 6871a," which was read first time and 75 copies ordered printed.

On motion of Senator Seabourn, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senate bill No. 85, entitled "An act to prohibit the sale or giving away of intoxicating liquor to minors, and to prohibit the purchasing or procuring for such minors any such intoxicating liquor, and to prescribe a punishment therefor," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks and Taggart—27.

NO—Senator Claycomb.

ABSENT—Senators Harmon, Ryors and Webster—3.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Proctor moved to reconsider the vote by which the bill passed, and to lay that motion on table. The latter motion prevailed.

Senate bill No. 210, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Sears, Sheldon, Simrall, Sparks and Taggart—24.

NOES—Senators Harmon, Hazell, Hunter, Jacobs, Seabourn and Smith—6.

ABSENT—Senator Webster.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Sheldon moved to reconsider the vote by which the bill passed and lay that motion on the table. The latter motion prevailed.

Senator Claycomb moved to reconsider the vote by which Senate bill No. 86 was ordered engrossed and printed. The motion was not agreed to.

Senator Jacobs moved that the secretary be instructed to make certain specified changes in sections 1 and 4, Senate bill No. 86.

The motion was agreed to by the following vote:

AYES—Senators Allen, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sheldon and Smith—19.

NOES—Senators Castleman, Claycomb, Harmon, Hazell, Mackey, Saltonstall, Sears, Simrall, Sparks and Taggart—10.

ABSENT—Senators Ball and Webster—2.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

Senate bill No. 207, entitled "An act to repeal section five thousand six hundred and fourteen of chapter 103 of the Revised Statutes of Missouri for the year 1879, and to enact a new section in lieu thereof, concerning constables' fees," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Sears, Sparks and Taggart—20.

NOES—Senators Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ryors, Seabourn, Sheldon, Simrall and Smith—10.

ABSENT—Senator Webster.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Claycomb moved to reconsider the vote by which the bill passed and lay that motion on the table. The latter motion prevailed.

Senate bill No. 24, entitled "An act to amend section fifteen hundred and fifty of article eight of chapter twenty-four of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure,'" was taken up, read third time and failed to pass by the following vote:

AYES—Senators Allen, Ball, Claycomb, Hazell, Johnson of Madi-

son, Johnson of Montgomery, Ketchum, Mackey, Saltonstall, Seabourn, Sears, Sheldon and Sparks—13.

NOES—Senators Castleman, Davisson, Downing, Gideon, Harmon, Hunter, Jacobs, Kerwin, McGinnis, Mansfield, Moran, Parcher, Proctor, Ryors, Simrall, Smith and Webster—17.

ABSENT—Senator Taggart.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The following communication was received from the House of Representatives through the Chief Clerk, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 29, entitled "An act to repeal an act entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same,' approved March 23, 1881; also, an act entitled 'An act to amend section one (1) of the acts of 1881, entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of the same,' approved March 20, 1885; also, to enact 'An act to provide for the health and safety of persons employed in mines, and providing for the inspection of same;'"

Also, Substitute for House bill No. 172, entitled "An act to amend article 2 of chapter 46 of the Revised Statutes of the State of Missouri, relating to the construction of Statutes;"

Also, House bill No. 181, entitled "An act exempting superintendents of county poor houses from jury duty by amending an act entitled 'An act exempting certain bank officials from jury duty, by amending section 2779, chapter 43 of the Revised Statutes, 1879, entitled 'Of grand and petit juries,'" approved April 2, 1885;

Also, House bill No. 188, entitled "An act to amend section 6789, chapter 145, article 4 of the Revised Statutes of the State of Missouri of 1879, relating to the settlement of collectors;"

Also, House bill No. 192, entitled "An act to amend an act entitled 'An act to amend section 1164, article 4, chapter 23 of the Revised Statutes of the State of Missouri of 1879, 'Of courts of record,'" approved March 31, 1883;"

Also, House bill No. 248, entitled "An act to amend section 6909 and 6810, article 11, chapter 145 of the Revised Statutes of 1879, relating to taxation of merchants and manufacturers, by inserting certain words therein and by adding an additional clause to said section 6910;"

Also, House bill No. 294, entitled "An act to amend section 1306 of article 3 of chapter 24 of the Revised Statutes, entitled 'Of crimes and criminal procedure;'"

Also, House bill No. 311, entitled "An act to amend section 4350, chapter 87, article 1 of the Revised Statutes of the State of Missouri, relating to herding cattle by non-residents," in which the concurrence of the Senate is respectfully requested.

Senate bill No. 167, entitled "An act to amend section 5878 of chapter 118, article 1 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of Institutions,' by striking out certain words and inserting other words in lieu thereof," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—31.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed and lay that motion on the table. The latter motion prevailed.

Senate bill No. 138, entitled "An act to amend section fifteen hundred and fifty of article 8 of chapter 24 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure,'" was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Mansfield, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—29.

NOES—Senator McGinnis.

ABSENT—Senator Proctor.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Moran moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 129 was laid over informally.

Senate bill No. 84, entitled "An act to furnish the county of Butler the Supreme Court and the courts of appeal reports from volume 16 ; also, the Revised Statutes of 1879, and session laws of 1881, 1883 and 1885," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson,

Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—31.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—31.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

Senator Johnson of Madison offered the following amendment to the title, which was read first and second times and agreed to :

Amend by inserting in lieu of "county of Butler," "counties of this State whose reports have been destroyed by fire."

The title, as amended, was agreed to :

Senator Johnson of Madison, moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 113, entitled "An act to repeal section 6705, chapter 145, article 2 of the Revised Statutes of Missouri, 1879, and to repeal said section as amended by the session acts of 1881, at page 180 of said session acts, approved March 24, 1881," was read third time and passed by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks and Webster—28.

NOES—Senators Allen, McGinnis and Taggart—3.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The emergency clause was adopted by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—30.

ABSENT—Senator Allen.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senate bill No. 186, entitled "An act to amend section 5148 of chapter 93 of the Revised Statutes of Missouri, entitled 'Of coroners and inquests,' by striking out certain words therefrom," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Proctor, Ryors, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—25.

NOES—Senators Hunter, Jacobs, Johnson of Madison, Mackey, Saltonstall and Seabourn—6.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 38, entitled "An act to repeal section 1904 of Revised Statutes of Missouri, 1879, and to repeal an act entitled "An act to amend section one thousand nine hundred and four (1904) of the Revised Statutes of the State of Missouri, entitled 'Crimes and criminal procedure,' approved March 23, 1881, and to enact a new section concerning juries in criminal cases, to be known as section 1904," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Downing, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—25.

NOES—Senators Claycomb, Davisson, Gideon, Harmon, Mansfield and Saltonstall—6.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the title of Senate bill No. 113 was agreed to. The motion was agreed to.

Senator Ball offered the following substitute for title of Senate bill No. 113, which was read and adopted :

"An act to repeal section 5 of an act entitled 'An act to amend sections 6685, 6688, 6695, 6699, 6705, 6707, 6716, 6717 and 6718 of article 2 of chapter 145 of Revised Statutes of 1879, approved March 24, 1881, and enact a new section in lieu thereof.'"

Senate bill No. 200, entitled "An act to amend section 929 of article 8 of the Revised Statutes of Missouri of 1879, entitled 'Manufacturing and business companies,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—28.

NOES—Senator Johnson of Madison.

ABSENT—Senators Moran and Proctor—2.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Ryors moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 83, entitled "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue,'" was taken up.

Senator Johnson of Madison moved to reconsider the vote by which the bill was ordered engrossed and printed. The motion was agreed to.

Senate bill No. 74, entitled "An act to amend section 3833, chapter 62 of the Revised Statutes of Missouri, entitled 'Of recorders of deeds,'" was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Mackey, Mansfield, Moran, Parcher, Proctor, Seabourn, Sears, Sheldon, Simrall, Smith and Taggart—19.

NOES—Senators Allen, Claycomb, Davisson, Gideon, Johnson of Madison, Kerwin, Ketchum, McGinnis, Ryors, Saltonstall, Sparks and Webster—12.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Seabee.

The title of the bill was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Johnson of Madison offered the following amendment to Senate bill No. 53, which was read first and second times and agreed to:

Amend Senate bill No. 53 by striking out the word "sell," in the 26th line, and insert in lieu thereof the words "sue for."

The bill, as amended, was ordered engrossed and printed.

Senate bill No. 93, entitled "An act to guard more sacredly the money and property belonging to the various counties in this State, and to insure the most careful management of county affairs," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazel, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Sheldon, Simrall, Smith and Sparks—26.

NOES—Senators Gideon, Mackey and Taggart—3.

ABSENT—Senators Saltonstall and Webster—2.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Proctor moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 115, entitled "An act defining the duties of circuit and prosecuting attorneys and assistant circuit and prosecuting attorneys of courts of this State," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—30.

ABSENT—Senator Saltonstall.

ABSENT WITH LEAVE—Senators Kelly and Wood.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Castleman moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 145, entitled "An act to amend section 1 of an act entitled 'An act to amend section 6879, and to repeal section 6880 and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads;' also enact a new section numbered 6886a; also an emergency clause, approved March 17, 1885," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Gideon, Hazell

Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—28.

ABSENT—Senators Castleman, Downing and Harmon—3.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 146, entitled "An act repealing an act entitled 'An act providing for a State Veterinary Surgeon, defining his duties and fixing his compensation,' session acts of 1885, and enacting a new act in lieu thereof, entitled 'An act providing for the appointment of a State Veterinary Surgeon, defining his duties and fixing his compensation,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks and Taggart—29.

ABSENT—Senators Ryors and Webster—2.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The emergency clause was read and adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—29.

NO—Senator Gideon.

ABSENT—Senator Moran.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Proctor moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The President *pro tem.* announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 147, entitled "An act to amend an act entitled 'An act to amend section one thousand three hundred and sixty-four (1364) of article 3 of

chapter 24 of the Revised Statutes of Missouri of 1879, entitled 'Crimes and criminal procedure—offenses against public and private property,' approved March 20, 1885," and that unless objection be made he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

Senate bill No. 161, entitled "An act to provide for the selection of a depository for the county funds of each of the counties of this State," was taken up read third time and failed to pass by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Harmon, Hunter, Johnson of Montgomery, McGinnis, Mackey, Moran, Parcher, Seabourn, Sears, Simrall Smith and Taggart—16.

NOES—Senators Claycomb, Downing, Gideon, Hazell, Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Ryors, Saltonstall, Sheldon, Sparks and Webster—15.

ABSENT WITH LEAVE—Senators Kelly and Wood—2.

SICK—Senator Sebree.

Senator Castleman moved to reconsider the vote by which Senate bill No. 123 passed. The motion was seconded.

Senator Parcher moved that the vote by which substitute for Senate bill No. 125 was ordered engrossed and printed be reconsidered. The motion was agreed to.

Senator Parcher offered the following amendment, which was read first and second times and agreed to :

Amend printed bill, No. 125, by substituting the following section for section No. 1 of printed bill: "Section 1. Amend section 6886a of an act entitled 'An act to amend section 6879, and to repeal section 6880, and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879,' approved March 17, 1885, by adding the following words thereto: 'And all taxes collected under and by virtue of this article for school taxes, and taxes for the erection of public buildings, and for other purposes, shall be apportioned to the proper school district immediately after the collection of the same, so that said section, when amended, shall read as follows.'"

The bill, as amended, was ordered engrossed and printed.

Senator Jacobs introduced Senate bill No. 308, entitled "An act to appropriate money for the purpose of erecting a Normal school buildings and to redistrict the State, thereby increasing the number of Normal school districts; to reorganize the Normal schools, and to make

each district self sustaining, and to repeal all acts or parts of acts inconsistent with this act," which was read first time, rules suspended, and 500 copies ordered printed.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 294, entitled "An act to reorganize Lincoln Institute, making it a separate institution of the State, and to enact laws for its government, and to repeal all acts and parts of acts inconsistent with this act, so far as the same relates to Lincoln Institute," to Committee on University, Public and Normal School Education.

Senate bill No. 284, entitled "An act concerning mutual savings societies," to Committee on Corporations other than Railroad and Insurance Companies.

The following House bills were read first time:

No. 29, entitled "An act to repeal an act entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same,'" approved March 23, 1881; also, an act entitled 'An act to amend section one (1) of the acts of 1881, entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of the same,'" approved March 20, 1885; also, to enact 'An act to provide for the health and safety of persons employed in mines, and providing for the inspection of same;'"

No. 188, entitled "An act to amend section 6789, chapter 145, article 4 of the Revised Statutes of the State of Missouri of 1879, relating to the settlement of collectors;"

No. 248, entitled "An act to amend sections 6909 and 6910, article 11, chapter 145 of the Revised Statutes of 1879, relating to taxation of merchants and manufacturers, by inserting certain words therein and by adding an additional clause to said section 6910;"

No. 311, entitled "An act to amend section 4350, chapter 87, article 1 of the Revised Statutes of the State of Missouri, relating to herding cattle by non-residents;"

No. 294, entitled "An act to amend section 1306 of article 3 of chapter 24 of the Revised Statutes, entitled 'Of crimes and criminal procedure;'"

No. 172, entitled "An act to amend article 2 of chapter 46 of the Revised Statutes of the State of Missouri, relating to the construction of Statutes;"

No. 181, entitled "An act exempting superintendents of county poor houses from jury duty, by amending an act entitled 'An act exempting certain bank officials from jury duty, by amending section

2779, chapter 43 of the Revised Statutes, 1879, entitled 'Of grand and petit juries,' approved April 2, 1885.

No. 192, entitled "An act to amend an act entitled 'An act to amend section 1164, article 4, chapter 23 of the Revised Statutes of the State of Missouri of 1879, 'Of courts of record;,' approved March 31, 1883."

Senator Jacobs was granted leave of absence until next Tuesday.

On motion of Senator McGinnis, the Senate adjourned until tomorrow morning at 10 o'clock.

THIRTY-THIRD DAY—FRIDAY, February 18, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Sheldon introduced Senate bill No. 309, entitled "An act to prevent the intimidation of laborers, and to provide a penalty for the violation of this act," which was read first time and 75 copies ordered printed.

Senator Allen introduced Senate bill No. 310, entitled "An act to amend section 5442 of the Revised Statutes of the State of Missouri of 1879, entitled 'Dramshops,' as amended by an act approved March 24, 1883," which was read first time and 75 copies ordered printed.

Senator Claycomb submitted the following reports from the Committee on Labor, Mines and Manufactories, which were read:

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred Senate bill No. 11, entitled "An act to prohibit the employment of children in mills, mines, factories or workshops in this State under the age of fourteen years," beg leave to

report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred Senate bill No. 20, entitled "An act to prohibit the employment of minors under the age of fourteen years in mills, mines, factories or management of elevators in this State," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 249, entitled "An act to amend article 2, Revised Statutes of Missouri, 1879, entitled 'Offenses against the lives and persons of individuals,' by adding a new section thereto, to be known as section 1282a," beg leave to report that they have carefully examined the same and recommend that it do not pass, and that the substitute herewith do pass.

Senator Johnson of Montgomery submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 206, entitled "An act to pay to the county of McDonald school moneys improperly withheld from it for the year 1875;"

Also, Senate bill No. 247, entitled "An act entitled an act to amend section 5032 of the Revised Statutes of Missouri, entitled 'Of villages ;' "

Also, Senate bill No. 165, entitled "An act to repeal section 2400 of chapter 32, Revised Statutes of 1879, entitled 'Of executions,' and to enact a new section in lieu thereof, to be known as section No. 2400 ;"

Also, Senate bill No. 248, entitled "An act to amend section 237, chapter 1, article 10, of the Revised Statutes of Missouri, entitled 'Administration—annual and final settlements ;' "

Also, Senate bill No. 152, entitled "An act entitled an act to amend chapter 98 of the Revised Statutes of Missouri, 1879, entitled 'Of dramshops,' by adding two new sections thereto, to be known as section 5468a and section 5468b ;"

Also, Senate bill No. 245, entitled "An act to provide for the making, publication and distribution of a digest of the reports of the Supreme Court and of the courts of appeals of this State, and for the appropriation of money therefor ;"

Also, Senate bill No. 238, entitled "An act to amend section 1268 of article 2 of chapter 24 of the Revised Statutes of the State of Missouri

of 1879," beg leave to report that they have compared the same, and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The following communication was received from the House of Representatives through the Chief Clerk, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed by the House, House bill No. 7, entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies;"

Also, House bill No. 141, entitled "An act to amend an act entitled 'Druggists—intoxicating liquors,' approved March 29, 1883, by adding a new section thereto, relieving registered druggists from serving as jurors;"

Also, House bill No. 161, entitled "An act to prevent and punish the sale of oleomargarine or butterine as butter, and to repeal an act entitled 'An act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products,' approved March 24, 1881;"

Also, House bill No. 214, entitled "An act to amend an act entitled 'An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of cities, towns and villages,' by adding thereto one new section, to be known as section No. 5003½, relating to the police regulations of cities of the fourth class,' approved March 14, 1885."

In which the concurrence of the Senate is respectfully requested.

House joint and concurrent resolution No. 1, submitting to the legal voters of the State of Missouri an amendment to the State Constitution in relation to the prohibiting of the manufacture and sale of intoxicating liquors, was taken.

Senator Downing moved that the resolution be indefinitely postponed. The motion was agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Hazell, Hunter, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Ryors, Saltonstall, Sears, Smith and Wood—20.

NOES—Senators Gideon, Johnson of Madison, Parcher, Proctor, Seabourn, Sheldon, Simrall, Sparks and Taggart—9.

ABSENT—Senator Webster.

ABSENT WITH LEAVE—Senators Harmon, Jacobs and Kelly—3.

SICK—Senator Seabee.

Senator McGinnis moved that Senate joint and concurrent resolution No. 1, submitting an amendment to the Constitution prohibiting the manufacture and sale of intoxicating liquors, which was indefinitely postponed on the 10th inst., together with the House resolution No. 1 on the same subject, just postponed, be spread upon the journal.

Senator Castleman moved to amend by "also spreading upon the journal the ruling of the chair upon the latter resolution."

The amendment was accepted, and the resolution unanimously adopted.

The following is the ruling of the Chair:

The Chair held that rule 62 of the revised rules of the Senate did not apply to a resolution or bill coming from the House, but that such bill or resolution took the same course in the Senate as though the Senate had not acted upon a like bill or resolution. In other words, a bill or resolution coming from the House takes the same course in the Senate as if it had been originally introduced in the Senate.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 296, entitled "An act to repeal an act entitled 'An act to amend section five hundred and thirteen of the Revised Statutes of 1879, relating to prosecuting and circuit attorneys,' approved March 19, 1881, and enact a new section in lieu thereof," to Committee on Criminal Jurisprudence;

Senate bill No. 297, entitled "An act to authorize county courts to refund county and township bonds at a lower rate of interest," to Committee on Ways and Means;

Senate bill No. 298, entitled "An act to repeal section 4942 of article 5 of chapter 89 of the Revised Statutes of the State of Missouri of 1879, and to enact a new section in lieu thereof," to Committee on Corporations other than Railroads and Insurance.

Senate bill No. 300, entitled "An act to amend section 5560 of chapter 101 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of elections,'" to Committee on Judiciary;

Senate bill No. 301, entitled "An act to amend chapter 167, Revised Statutes of Missouri of 1879, entitled 'Of weights and measures,' by adding a new section thereto, to be designated as section 7668a," to Committee on Criminal Jurisprudence;

Senate bill No. 302, entitled "An act authorizing county collectors to pay into the county treasury pending litigation, money in their hands claimed by both the State and county or municipal townships," to Committee on Ways and Means;

Senate bill No. 303, entitled "An act to amend section 1326 of Revised Statutes of 1879, entitled 'Of embezzlement,'" to Committee on Criminal Jurisprudence;

The following House bills were read second time and referred to committees, as follows :

House bill No. 29, entitled "An act to repeal an act entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same,' approved March 23, 1881; also, an act entitled 'An act to amend section one (1) of the acts of 1881, entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of the same,' approved March 20, 1885;' also, to enact 'An act to provide for the health and safety of persons employed in mines, and providing for the inspection of same,'" to Committee on Labor, Mines and Manufactories;

House bill No. 172, entitled "An act to amend article 2 of chapter 46 of the Revised Statutes of the State of Missouri, relating to the construction of Statutes," to Committee on Judiciary;

House bill No. 181, entitled "An act exempting superintendents of county poor houses from jury duty by amending an act entitled 'An act exempting certain bank officials from jury duty, by amending section 2779, chapter 43 of the Revised Statutes, 1879, entitled 'Of grand and petit jurors,'" approved April 2, 1885," to Committee on Judiciary;

House bill No. 188, entitled "An act to amend section 6789, chapter 145, article 4 of the Revised Statutes of the State of Missouri of 1879, relating to the settlement of collectors," to Committee on Judiciary;

House bill No. 192, entitled "An act to amend an act entitled 'An act to amend section 1164, article 4, chapter 23 of the Revised Statutes of the State of Missouri of 1879, 'Of courts of record,' approved March 31, 1883," to Committee on Judiciary;

House bill No. 248, entitled "An act to amend sections 6909 and 6910, article 11, chapter 145, of the Revised Statutes of 1879, relating to taxation of merchants and manufacturers, by inserting certain words therein, and by adding an additional clause to said section 6910," to Committee on Judiciary;

House bill No. 294, entitled "An act to amend section 1306 of article 3 of chapter 24 of the Revised Statutes, entitled 'Of crimes and criminal procedure,'" to Committee on Criminal Jurisprudence;

House bill No. 311, entitled "An act to amend section 4350, chapter 87, article 1 of the Revised Statutes of the State of Missouri, relating to herding cattle by non-residents," to Committee on Agriculture, Roads and Highways;

Concurrent resolution No. 4 was laid over informally.

Concurrent resolution No. 10 was recommitted to Committee on Constitutional Amendments.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 278, entitled "An act to amend section 743 of article 1, chapter 21, Revised Statutes of the State of Missouri, 1879, entitled 'Of private corporations;'"

Joint and concurrent resolution No. 12, instructing our Senators and requesting our Representatives in Congress to use all proper means in their legislative capacity to secure an appropriation of \$50,000 for the purpose of straightening Grand river;

Senate bill No. 275, entitled "An act to amend article 2 of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, to be designated as section 7154a;"

Senate bill No. 232, entitled "An act to provide for the prevention of accidents to railroad employes and others by requiring that switches, frogs and guard rails be properly blocked;"

Senate bill No. 75, entitled "An act authorizing a vote of the people to be taken at the next general election to be held on the Tuesday next following the first Monday in November, A. D. 1888, upon the question whether or not a convention shall be held for the purpose of revising and amending the Constitution of the State of Missouri," was indefinitely postponed.

On motion of Senator Downing, Senate bill No. 293 was made the special order for 2 o'clock Monday afternoon next.

Senator Smith introduced Senate bill No. 311, entitled "An act to provide for the election or appointment of sheriffs in any county where any vacancy may occur nine months prior to the holding of a general election," which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read:

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 252, entitled "An act to amend section 5415 of chapter 96 of the Revised Statutes of Missouri, entitled 'Of ditches and drains,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 168, entitled "An act to place the streets and alleys in unincorporated towns and villages under the control of the county courts and road overseers," was read the third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield,

Moran, Parcher, Proctor. Ryors, Saltonstall, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senator Seabourn.

ABSENT WITH LEAVE—Senators Harmon and Jacobs—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Ryors moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Substitute for Senate bill No. 173, entitled "An act to amend section twenty-eight hundred and three, article one, chapter forty-four of the Revised Statutes of the State of Missouri of 1879, so as to entitle cities of over one hundred thousand inhabitants or more, two justices of the peace, in addition to the number allowed by law to the township in which such city may be," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Moran, Parcher and Proctor—3.

ABSENT WITH LEAVE—Senators Harmon and Jacobs—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 226, entitled "An act to amend section 1851, article 17, chapter 24 of the Revised Statutes of Missouri, entitled 'Proceedings before trial,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Moran, Parcher and Proctor—3.

ABSENT WITH LEAVE—Senators Harmon and Jacobs—2.

SICK—Senator Sebree.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield,

Parcher, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT—Senators Moran and Proctor—2.

ABSENT WITH LEAVE—Senators Harmon and Jacobs—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Hazell moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 227, entitled "An act to amend an act entitled 'An act to exempt certain property used exclusively for agricultural and horticultural societies from taxation,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT—Senators Moran and Parcher—2.

ABSENT WITH LEAVE—Senators Harmon and Jacobs—2.

SICK—Senator Sebree.

Senator Gideon offered the following substitute for the title of Senate bill No. 227, which was read and agreed to:

"An act to amend section 1 of an act approved March 27, 1883, entitled 'An act to exempt certain property used exclusively for agricultural and horticultural societies.'"

Senator Ketchum moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 51 was laid over informally.

Senate bill No. 69 was laid over informally.

Senate bill No. 237 was laid over informally.

Senate bill No. 123 was laid over informally.

Senate bill No. 35, entitled "An act to repeal sections 7144 7145 and 7146 of article II., chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Gideon, Hazell, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Ryors, Simrall, Smith, Sparks, Webster and Wood—19.

NOES—Senators Claycomb, Downing, Hunter, Johnson of Madison, Saltonstall, Seabourn, Sears, Sheldon and Taggart—9.

ABSENT—Senators Moran, Parcher and Proctor—3.

ABSENT WITH LEAVE—Senators Harmon and Jacobs—2.

SICK—Senator Sebree.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Sears, Simrall, Smith, Taggart, Sparks, Webster and Wood—21.

NOES—Senators Claycomb, Gideon, Johnson of Madison, Ryors, Saltonstall, Seabourn and Sheldon—7.

ABSENT—Senators Moran, Parcher and Proctor—3.

ABSENT WITH LEAVE—Senators Harmon and Jacobs—2.

SICK—Senator Seabee.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion was not agreed to.

Senator Castleman called up the motion made on yesterday to reconsider the vote by which Senate bill No. 123 was passed, and which was seconded at that time. The motion was agreed to.

Senator Simrall moved to reconsider the vote by which Senate bill No. 123 was engrossed and printed. The motion was agreed to.

Senate bill No. 123 was recommitted to Committee on Judiciary.

Senator Simrall moved to reconsider the vote by which Senate bill No. 161 failed to pass on yesterday. The motion was agreed to.

Senate bill No. 161, entitled "An act to provide for the selection of a depository for the county funds of each of the counties of this State," was again read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Davisson, Gideon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Proctor, Seabourn, Sears, Simrall, Smith, Sparks, Taggart and Webster—22.

NOES—Senators Claycomb, Downing, Johnson of Madison, Ketchum, Moran, Ryors, Saltonstall and Sheldon—8.

ABSENT WITH LEAVE—Senators Harmon, Jacobs and Wood.

SICK—Senator Seabee.

The emergency clause was not adopted by the following vote :

AYES—Senators Allen, Castleman, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Simrall, Smith and Webster—14.

NOES—Senators Claycomb, Downing, Gideon, Johnson of Madison, Mansfield, Proctor, Ryors, Saltonstall, Sheldon, Sparks and Taggart—11.

ABSENT—Senators Ball, Davisson, Moran, Seabourn, Sears and Wood—6.

ABSENT WITH LEAVE—Senators Harmon and Jacobs—2.

SICK—Senator Sebree.

The title was read and agreed to.

Senator Hazell moved to reconsider the vote by which the bill passed and lay that motion on the table. The latter motion prevailed.

On motion of Senator Castleman, the Senate adjourned until 2 o'clock Monday next.

THIRTY-FOURTH DAY—MONDAY, February 21, 1887.

Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Senator Webster was granted leave of absence until Wednesday.

Senator Sebree presented a petition from citizens of Chariton county asking the passage of the school book bill, which was ordered filed with bill No. 69.

Senator Allen introduced Senate bill No. 312, entitled "An act authorizing non-resident executors to sell and convey real estate situate in this State," which was read first time and 75 copies ordered printed.

Senator McGinnis introduced Senate bill No. 313, entitled "An act to enable the State to light its public buildings and grounds, located at the City of Jefferson, with electric light," which was read first time and 75 copies ordered printed by request, at the expense of the introducer.

Senator Sebree introduced Senate bill No. 314, entitled "An act to prevent any person circulating a petition for dramshop license from forging, procuring or allowing to be forged any name or names thereof, and to prevent such license being granted, and providing for appeal to the circuit court," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 315, entitled "An act to prevent clerks and officers of courts from buying fees, taxed or to be taxed as costs," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 316, entitled "An act to provide for the *per diem* compensation of the Speaker of the House of Representatives as such," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 317, entitled "An act to provide for the return of prisoners to the penitentiary convicted of the violation of the condition of their pardon," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 318, entitled "An act to transfer to the school fund in each of the counties in this State taxes and penalties paid into the county treasury upon land sold for non-payment, for which certificates of purchase are issued, and redeemed in two years after sale thereof, and to provide a limitation for the non-claim of the party entitled thereto," which was read first time and 75 copies ordered printed.

Senator Sebree introduced Senate bill No. 319, entitled "An act in relation to liability of railroad corporations for damages done by subcontractors in building railroads or any part of any railroad in this State," which was read first time and 75 copies ordered printed.

Senator McGinnis introduced Senate bill No. 320, entitled "An act to regulate the civil service of the State of Missouri and of citizens thereof, and to create a civil service commission, and appropriate money therefor," which was read first time and rules suspended and bill ordered not printed.

Senator Sparks introduced Senate bill No. 321, entitled "An act to repeal section 2117, article 25, chapter 24, Revised Statutes, 1879, entitled 'Of costs in criminal cases,' and to enact a new section in lieu thereof," which was read first time and 75 copies ordered printed.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 265, entitled "An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of one hundred and fifty thousand inhabitants or more, and providing for their compensation," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was re-

ferred Senate bill No. 240, entitled "An act to repeal section No. 1147 of article 4 of chapter 23 of the Revised Statutes of Missouri, entitled 'Circuit courts,' and to enact a new section, to be numbered 1147, in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 239, entitled "An act providing for the holding of two terms of the Montgomery circuit court at the City of Montgomery, in said county, and prescribing the jurisdiction thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 241, entitled "An act to establish and require the holding of two of the four terms of the probate court of Montgomery county, required by law to be held at the City of Montgomery, with like powers and jurisdiction coextensive with said county as pertain to similar courts of record in this State, and for the establishment of a probate office and clerk at said City of Montgomery," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 181, entitled "An act to amend section 3833 of chapter 62 of the Revised Statutes of the State of Missouri, entitled 'Of recorders of deeds,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 244, entitled "An act to amend section 3310 of the Revised Statutes of Missouri, 1879," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment.

Amendment to Senate bill, No. 244. Amend section 2 of printed bill by adding the following after the word "advertisements," in the twenty-eighth line: *Provided, however,* that unless such paper shall publish such advertisements at the same rate at which it may at the time publish judicial notices under contract, the publication may be made in any other paper in said city.

The amendment was read first and second times and agreed to.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 266, entitled "An act to amend section 5529 of chapter 101, of the Revised Statutes of Missouri," entitled 'Of

elections,'” beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 268, entitled “An act relating to stenographers for certain courts, and relating to fees for their service,” beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 108, entitled “An act to amend chapter 51, Revised Statutes, 1879, entitled ‘Of married women,’ by adding a new section thereto, to be known as section 3296a,” beg leave to report that they have carefully examined the same and recommend that the substitute for Senate bills 108, 127 and 128 herewith reported, do pass.

The substitute was read first and second times and agreed to.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 267, entitled “An act to repeal section 7581 of article 1 of chapter 164 of the Revised Statutes of Missouri, 1879, entitled ‘Of the State Treasury,’ ” beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 271, entitled “An act to repeal section 2174 of chapter 28 of the Revised Statutes of Missouri, entitled ‘Of divorce, alimony and custody of children,’ ” beg leave to report that they have carefully examined the same and recommend that it be indefinitely postponed.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 281, entitled “An act to amend section 482 of chapter 7, of the Revised Statutes of Missouri, entitled ‘Of attorneys at law,’ ” beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 112, entitled “An act to repeal an act entitled ‘An act in relation to marriage and marriage license, approved March 26, 1881,’ and to enact in lieu thereof the following,” beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 257, entitled “An act in relation to releasing mortgages and deeds of trust,” beg leave to report that they have carefully examined the same and recommend that the accompanying substitute do pass.

Substitute for Senate bill No. 257 was read first and second times and agreed to.

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 185, entitled "An act to ascertain the population of any county in this State, and to adjust the salaries of certain officers," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment.

Amendment to Senate bill No. 185. Amend printed bill by striking out the word and figure "five (5)", in the seventh line of section one, and insert in lieu thereof the word and figure "six (6)".

The amendment was read first and second times and agreed to.

Senator Allen submitted the following reports from the Committee on Corporations other than Railroad and Insurance Companies, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 284, entitled "An act concerning mutual savings societies," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 299, entitled "An act to create a park commission in any county in which there is a city now having or which may hereafter have a population of 50,000 or more inhabitants, to establish a park district, and provide public parks, highways and boulevards therein," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Seabee submitted the following reports from the Committee on Justices of the Peace, which were read:

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred Senate bill No. 64, entitled "An act to amend section 5619, chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' beg leave to report that they have carefully examined the same and a majority recommend that it do not pass.

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred Senate bill No. 217, entitled "An act to repeal section 2953, article 6, chapter 44 of the Revised Statutes of Missouri for the year 1879, as amended by an act entitled 'An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' approved March 24, 1885, and to enact a

new section in lieu thereof to be known as 'section 2953,' beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Johnson of Montgomery submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 219, entitled "An act to amend section six thousand nine hundred and eighty-six, Revised Statutes of Missouri, 1879;"

Also, Senate bill No. 178, entitled "An act to authorize county courts to provide for the payment and to pay for bridges, court houses, jails or other public buildings erected or repaired, or for improvements thereon in certain cases;"

Also, Senate bill No. 229, entitled "An act to amend section four thousand and forty-three, Revised Statutes of 1879;"

Also, Senate bill No. 258, entitled "An act to amend section 1 of an act entitled 'An act to amend section 13 of an act entitled 'An act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof,' approved February 2, 1871, changing the time of holding court, and providing for changes of venue in said county, approved February 8, 1872;"

Also, Senate bill No. 221, entitled "An act to amend section one thousand and seventy-seven (1077), article two (2), chapter twenty-three (23) of the Revised Statutes of 1879, relating to the Supreme Court;"

Also, Senate bill No. 179, entitled "An act to repeal section 1186 of chapter 23, article 5 of the Revised Statutes of Missouri of 1879, entitled 'Courts of record,' and relating to the fees of judges of probate, and to enact a new section in lieu thereof, relating to the same subject;"

Also, Senate bill No. 218, entitled "An act to provide for the selection and acquisition of land whereon to erect county buildings, and to prescribe the qualifications for and the duration of the office of superintendent of such buildings;"

Also, Senate bill No. 136, entitled "An act entitled an act to establish the office of circuit attorney in the various judicial circuits of the State, and to provide for the election of such officers at the general election in 1888, and to prescribe their duties as such;"

Also, Senate bill No. 261, entitled "An act granting to the common schools in townships in which saloons may be situated one-third of the county revenue derived by the county from such saloon license;"

Also, Senate bill No. 139, entitled "An act to provide for the drainage of lead and zinc mines, and to regulate the liability of the owners

of mineral-bearing lands and the lessees thereof, who are benefited by drainage ;”

Also, Senate bill No. 47, entitled “An act to enable cities and towns operating under special charters and containing ten thousand inhabitants or less, to cause the owners of property and lots to build and repair sidewalks, and enforce the same as a lien on the property, and to provide by ordinance for the appointment of constable and street and sidewalk commissioner ;”

Also, Senate bill No. 162, entitled “An to repeal section 5018, article 6, chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled ‘Of cities, towns and villages,’ and to enact four new sections in lieu thereof, to be known and designated sections 5018, 5018 α 5018 β and 5018 c ;”

Also, Senate bill No. 204, entitled “An act to repeal an act entitled ‘An act creating a board of health for the State of Missouri, defining its duties and powers and fixing the compensation of its officers,’ approved March 29, 1883, and to enact new sections in lieu thereof ;”

Also, Senate bill No. 219, entitled “An act to amend section 6986, Revised Statutes of Missouri, 1879 ;”

Also, Senate bill No. 203, entitled “An act to repeal section one of the session acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record, approved April 2, 1883, and to enact a new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit ;”

Also, Senate bill No. 236, entitled “An act to amend an act entitled ‘An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof, approved March 31, 1885 ;”

Also, Senate bill No. 242, entitled “An act to amend section 2812, article 1 of chapter 44 of the Revised Statutes of Missouri, entitled ‘Of justices courts ;”

Also, Senate bill No. 202, entitled “An act to prohibit the sale of intoxicating liquors within three miles of the Avalon college, situated in Livingston county, Missouri ;”

Also, Senate bill No. 137, entitled “An act to amend an act entitled ‘An act in relation to prosecuting and circuit attorneys,’ by repealing sections 512, 513, 514, 515, 516, 517 and 518 of chapter 9, article 2 of the Revised Statutes of Missouri, and to enact new sections in lieu thereof, of the same numbers, to read as follows ;”

Also, Senate bill No. 90, entitled “An act to provide for the refunding and payment of the State debt, and to repeal chapter 153 and sections 7551, 7552, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633,

7634 and 7635 of article 1 of chapter 164 of the Revised Statutes of Missouri ;”

Also, Senate bill No. 68, entitled “An act entitled an act for the organization of the State military forces, and appropriating money for the same ;”

Also, Senate bill No. 163, entitled “An act to repeal section 5019, article 6, chapter 89 of the Revised Statutes of Missouri of 1879, entitled ‘Of cities, towns and villages,’ and to enact seventeen new sections in lieu thereof, to be known and designated as sections 5019, 5019*a*, 5019*b*, 5019*c*, 5019*d*, 5019*e*, 5019*f*, 5019*g*, 5019*h*, 5019*i*, 5019*j*, 5019*k*, 5019*l*, 5019*m*, 5019*n*, 5019*o*, 5019*p* ;”

Also, Senate bill No. 223, entitled “An act relating to cities of the second class ;”

Also, Senate bill No. 155, entitled “An act to amend section forty-six (46) of an act entitled ‘Roads, highways and bridges, under township organization,’ approved March 29, 1883 ;”

Also, Senate bill No. 177, entitled “An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled ‘Of private corporations ;’”

Also, Senate bill No. 228, entitled “An act to amend section 3376 of chapter 56 of the Revised Statutes of the State of Missouri of the year 1879, entitled ‘Of partition ;”

Also, Senate bill No. 23, entitled “An act to authorize the board of public improvements of any city in this State to audit and allow claims against such city for work done and materials furnished on any street or highway under a contract with such city,” beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read :

MR. PRESIDENT : Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 294, entitled “An act to amend section 1306 of article 3 of chapter 24 of the Revised Statutes, entitled ‘Of crimes and criminal procedure,’” beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT : Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 20, entitled “An act to amend section 1350, article 3, chapter 24 of the Revised Statutes of Missouri, entitled ‘Of crimes and criminal procedure,’” beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT : Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 264, entitled “An act to amend sec-

tion 1532, article 7, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 273, entitled "An act to amend section 1253 of chapter 24, article 2 of the Revised Statutes of the State of Missouri, relating to offenses against the lives and persons of individuals," beg leave to report that they have carefully examined the same and recommend that it do not pass.

The following Senate bills were read second time and referred to committees, as follows :

Senate bill No. 308, entitled "An act to appropriate money for the purpose of erecting additional Normal school buildings, and to redistrict the State, thereby increasing the number of Normal school districts; to reorganize the Normal schools, and to make each district self-sustaining, and to repeal all acts or parts of acts inconsistent with this act," to Committee on University, Public and Normal School Education ;

Senate bill No. 304, entitled "An act to amend chapter twenty-one of the Revised Statutes of Missouri of 1879, entitled 'Of private corporations,' by adding thereto a new article, to be entitled article XI., 'Of training schools for minors,'" to Committee on Corporations other than Railroads and Insurance ;

Senate bill No. 305, entitled "An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees," to Committee on Criminal Jurisprudence ;

Senate bill Nos. 306, entitled "An act authorizing the appointment of official stenographers by the circuit courts of the State of Missouri for cities having a population of more than three hundred and fifty thousand inhabitants, and providing for their compensation," was indefinitely postponed.

Senate bill No. 307, entitled "An act to amend article 8 of chapter 145 of the Revised Statutes of Missouri, relating to the assessment and taxation of railroads, by adding a new section thereto, to be known as section 6871a," was read second time and referred to Committee on Railroads and Internal Improvements.

The following Senate bills were read second time and referred to committees, as follows :

Senate bill No. 309, entitled "An act to prevent the intimidation of laborers within the State of Missouri, and to provide a penalty for the violation of this act," to Committee on Criminal Jurisprudence ;

Senate bill No. 311, entitled "An act to provide for the election or appointment of sheriffs in any county whenever any vacancy may occur nine months prior to the holding of a general election," to Committee on Judiciary.

The following House amendment to Senate joint and concurrent resolution No. 6 was taken up :

Amend report of committee appointed by the Governor to settle with the Auditor and Treasurer by striking out all of the first thirty-three lines on page five of said report.

The amendment was read first and second times and agreed to by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Hazell, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Saltonstall, Sears, Seebree, Simrall, Sparks Taggart and Wood—23.

NOES—Senators Gideon, Harmon, Hunter, Johnson of Madison, Ryors, Seabourn, Sheldon and Smith—8.

ABSENT WITH LEAVE—Senators Kelly, Proctor and Webster—3.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 58, entitled "An act to establish the thirtieth judicial circuit, and to provide for the appointment of a circuit judge thereof, and to fix the times of holding court therein," beg leave to report that they have carefully examined the same and recommend that it do pass with following amendments :

Amendment No. 1. Amend section 1 of printed bill by striking out the word "Dade" in the first line of said section, and insert in lieu thereof the word "Hickory."

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend section 2 printed bill by striking out the word "Dade," in the third line of said section and insert in lieu thereof the word "Hickory."

The amendment was read first and second times and agreed to.

Senator Moran introduced Senate bill No. 322, entitled "An act relating to stenographers for certain criminal courts," which was read first time and 75 copies ordered printed.

Senate bill No. 293, was called up as special order for 2 o'clock.

Senator Harmon moved that Senate bill No. 293 be made special order for 2 o'clock Tuesday. The motion was agreed to.

Senator Harmon moved to reconsider the motion by which Senate bill was made special order for Tuesday at 2 o'clock. The motion was agreed to.

Senator Downing moved that the Senate resolve itself into Committee of the Whole to consider Senate bill No. 293, which was agreed to by the following vote:

A YES—Senators Allen, Ball, Davisson, Downing, Hunter, Jacobs, Johnson of Madison, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Ryors, Sheldon, Simrall and Smith—17.

NOES—Senators Castleman, Claycomb, Gideon, Harmon, Hazell, Johnson of Montgomery, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sparks, Taggart and Wood—14.

ABSENT WITH LEAVE—Senators Kelly, Proctor and Webster—3.

The Senate resolved itself into Committee of the Whole.

Senator Jacobs in the chair.

The Committee arose.

Senator Jacobs submitted the following report from the Committee of the Whole, which was read and adopted:

MR. PRESIDENT: Your Committee of the Whole, to whom was referred Senate bill No. 293, reports that it has had under consideration said bill, and has made progress and asks leave to sit again to-morrow at half past 10 o'clock A. M.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, on Senate bill No. 290, with accompanying amendments. The bill and amendments were laid over informally:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 290, entitled "An act to prevent any person or persons from coming into this State, whether operating under the head of a detective force or agency or not, without a requisition, and to arrest, detain or imprison any person without legal authority, and to prevent corporations from employing a detective or armed force from guarding corporate property, unless such force is under the immediate control of the sheriff or other officer authorized to make arrests and protect such property," beg leave to report that they have carefully examined the same and recommend that it do pass with the following amendments.

On motion of Senator Gideon, the Senate adjourned until to-morrow morning at 10 o'clock.

THIRTY-FIFTH DAY—TUESDAY, February 22, 1887.

Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Gideon offered the following resolution, which was read and laid over under the rules :

WHEREAS, Congress in its wisdom and patriotism passed the dependent pension bill almost unanimously, and the President vetoed the said bill; therefore, be it

Resolved by the Senate of the State of Missouri, the House concurring therein, That our Representatives and Senators in Congress be and they are hereby requested to vote for the passage of said bill over the President's veto.

Senator Allen introduced Senate bill No. 323, entitled "An act prescribing limitations for bringing action on special tax bills, special assessments, and for bringing actions for and against property sold for taxes," which was read first time and 75 copies ordered printed.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 181, entitled "An act exempting superintendents of county poor houses from jury duty by amending an act entitled 'An act exempting certain bank officials from jury duty, by amending section 2779, chapter 43 of the Revised Statutes of 1879, entitled 'Of grand and petit juries,' approved April 2, 1885,' beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 188, entitled "An act to amend section 6789 of chapter 145, article 4 of the Revised Statutes of the State of Missouri of 1879, relating to the settlement of collectors," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 28, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale

thereof,' approved March 31, 1885, by adding a new section thereto, to be known as section 15a, providing for the publication or purchase and distribution of the first sixteen volumes of the Missouri Appeal Reports," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 96, entitled "An act to amend section 2999 of chapter 37 of the Revised Statutes of Missouri of 1879, entitled 'Of guardians and curators,'" as amended by an act approved March 28, 1885,' beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT. Your Committee on Judiciary, to whom was referred House bill No. 65, entitled "An act to repeal section 384 of the Revised Statutes of Missouri of 1879, and enacting a new section in lieu thereof, to be known as section 384, relating to the appointment of assignees in cases of vacancy," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 26, entitled "An act limiting the time for the institution of suits for dower in real estate," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 11, entitled "An act making all contracts hereafter made limiting the time in which suit may be brought, null and void," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 61, entitled "An act to amend section 3482 of article three of chapter 59 of the Revised Statutes of Missouri of 1879, entitled 'Of practice in civil cases,' and 'Of the place for bringing suits,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 172, entitled "An act to amend article 2 of chapter 46 of the Revised Statutes of the State of Missouri, relating to the construction of Statutes," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 248, entitled "An act to amend sections 6909 and 6910, article 11, chapter 145 of the Revised Statutes of 1879, relating to taxation of merchants and manufacturers, by inserting certain words therein, and by adding an additional clause to said section 6910," beg

leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 192, entitled "An act to amend an act entitled 'An act to amend section 1164, article 4, chapter 23 of the Revised Statutes of the State of Missouri of 1879, 'Of courts of record,'" approved March 31, 1883," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 269, entitled "An act to amend sections one hundred and eighty-four (184,) one hundred and eighty-five (185) and one hundred and eighty-nine (189,) article 9, chapter 1 of the Revised Statutes of the State of Missouri, entitled 'Of the administration of the estates of deceased persons,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Hunter, Senate bill No. 269 was indefinitely postponed.

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 288, entitled "An act to amend an act approved March 26, 1881, entitled 'Marriage license—regulation,' by adding a new section thereto, to be known as section 7, and to repeal section 7 of said act and enact a new section in lieu thereof, to be known as section eight," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Sebree, Senate bill No. 288 was indefinitely postponed.

Senator Kelly granted leave of absence until Wednesday, and Senator Simrall until Saturday.

Senator Claycomb submitted the following report from the Committee on Railroads and Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 209, entitled "An act to prohibit railroad companies, corporations or individuals owning, operating or managing any railroad in the State of Missouri, from consolidating the stock, property or franchises of such company, corporation or individual, or from leasing, purchasing or in any other manner acquiring an interest in the works or franchises of, or in any way whatever to any degree exercising control over any railroad company, corporation or individual owning, operating, or having under his or their control or management, a parallel or competing line in this State, and

to prescribe penalties therefor, and the means of enforcing the provisions of this act, and to repeal all acts or parts of acts in conflict or inconsistent herewith," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments :

Amend section one by striking out the following words after the word "State," in the tenth line of printed bill, "or to enter into any contract, combination, or association of any kind for the pooling of freights, or to pool the freights of different and competing railroads by dividing between them the aggregate or net proceeds of the earnings of such railroads or any portion of them, or by making a division of the territory."

The amendment was read first and second times and agreed to.

Amend section 2 by adding at the end thereof the words "when so demanded."

The amendment was read first and second times and agreed to.

Amend section 3 by striking out all after the word "therewith," in the thirty-second line of printed bill, and insert in lieu thereof the following: "or who shall, in compliance with such demand, furnish any false or fraudulent contract, or who shall under oath furnish an incomplete or incorrect list of such officers, as required by this act, shall for so failing, neglecting or refusing to comply herewith, be guilty of a misdemeanor, and upon conviction thereof be fined not less than two hundred and fifty nor more than one thousand dollars, and for furnishing any false or fraudulent contract, or for making a false affidavit as to the list of the names of the officers, any such person so offending shall be guilty of a felony, and upon conviction thereof shall be confined in the penitentiary not less than two nor more than five years."

The amendment was read first and second times and agreed to.

Amend section 3 by inserting after the word "list" and before the word "of," in the tenth line of printed bill, the words "of the names."

The amendment was read first and second times and agreed to.

Amend section 3 by inserting after the word "manner," in the 24th line of the printed bill, the following words: "and for such purposes they shall have and may exercise all the powers conferred on them by this or any other Statute of this State."

The amendment was read first and second times and agreed to.

Amend section 4 by striking out all after the word "necessary," in the twelfth line of printed bill, and insert in lieu thereof the following: "To enforce the provisions of this act, and such proceedings, if against any company, corporation or individual for a violation of the provisions of section one herein, shall be instituted in the name of the

State of Missouri at the relation of the Attorney-General, and may be against any one or more, or jointly against all the companies, corporations or individuals so offending; and if such proceedings are instituted for a violation of the provisions of sections two or three of this act, then they shall be proceeded with as in other cases of misdemeanors or felonies, and may be against any one or more, or jointly against all persons so offending; and all suits or prosecutions instituted under the provisions of this act shall have precedence, except as to criminal cases, and shall be advanced on the docket by all the courts in which such proceedings shall be pending and be disposed of as speedily as possible."

The amendment was read first and second times and agreed to.

Amend section 5 by striking out the word "two" between the words "than" and "thousand," in the fourth line of printed bill, and insert in lieu thereof the word "five," and by striking out the word "two," between the words "than" and "thousand," in the sixth line, and insert in lieu thereof the word "five," and by striking out the word "four," between the words "than" and "thousand," in the sixth line, and insert the word "ten."

The amendment was read first and second times and agreed to.

Amend section 5 by inserting after the word "individual," in the ninth and tenth lines of printed bill, the words "so convicted."

The amendment was read first and second times and agreed to.

Amend section 5 by striking out all after the word "purposes," in the sixteenth line of printed bill, and insert in lieu thereof the following: "Any officer or individual who shall violate the provisions of section 2 of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five hundred nor more than five thousand dollars for each offense, and each day that such person shall continue to act as an officer of such railroad company or corporation owning, operating, managing or having control of a parallel or competing line, after the first conviction under this act, shall constitute a separate offense; and in every case of a conviction under this act the company, corporation, individual or officer so offending shall be liable for all costs, including reasonable fees for any attorney or attorneys who may be employed to assist the Attorney General, as hereinafter provided, and such fees shall be allowed by the court trying the cause, and shall be taxed up as a part of the costs in the cause."

The amendment was read first and second times and agreed to.

Amend section 6 by striking out all after the word "requirements," in the tenth line of printed bill, and insert in lieu thereof the following: "as is now or that may hereafter be provided by law."

The amendment was read first and second times and agreed to.

Amend section 7 by striking out the words "State Auditor," in the fifth and sixth lines of printed bill, and insert in lieu thereof the words "Railroad Commissioners."

The amendment was read first and second times and agreed to.

Amend section 7 by striking out in the 4th line of printed bill the words "as it may be thought," and insert in lieu thereof the words "as they may consider it."

The amendment was read first and second times and agreed to.

Amend section 7 by adding at the end thereof the following words : "And for the purposes aforesaid there is hereby appropriated out of the general revenue fund not otherwise appropriated, such an amount as may be requisite, not exceeding the sum of ten thousand dollars."

The amendment was read first and second times and agreed to.

Amend section 8 by inserting after the word "all," and before the word "penalties," in the first line, the words "fines and."

The amendment was read first and second times and agreed to.

Amend by striking out all of section 10 and insert in lieu thereof the following: Section 10. The probable existence of such contracts, combinations or associations as are prohibited by the provisions of this act, and the great injury resulting therefrom to the people of the State, creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its approval by the Governor.

The amendment was read first and second times and agreed to.

Senator Mackey submitted the following report from the Committee on Federal Relations, which was read :

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate bill No. 253, entitled "An act to provide for placing the statues of Thomas H. Benton and Francis P. Blair, jr., in the National Hall of Statuary in Washington," have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do pass.

Senator Hunter submitted the following reports from the Committee on Ways and Means, which were read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 302, entitled "An act authorizing county collectors to pay into the county treasury, pending litigation, money in their hands claimed by both the State and county or municipal townships," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 297, entitled "An act to authorize county

courts to refund county and township bonds at a lower rate of interest," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 270, entitled an act to repeal section 7125, article 1, chapter 150 of the Revised Statutes of Missouri, 1879, entitled 'Of schools,' and to insert in lieu thereof a new section," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 276, entitled "An act to amend section 6849 of the Revised Statutes of 1879, as amended by act of the General Assembly, approved March 31, 1883," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 160, entitled "An act to repeal section 6723 of article 2 of chapter 145 of the Revised Statutes of Missouri of 1879, and to enact a new section in lieu thereof, with an emergency clause," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 233, entitled "An act to authorize county clerks to practice as attorneys and counselors at law," beg leave to report that they have carefully examined same and a majority of your committee recommend that it do pass.

Senator Johnson of Montgomery submitted the following reports from the Committee on Agriculture, Roads and Highways, which were read:

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 274, entitled "An act to amend chapter 104 of the Revised Statutes of Missouri, 1879, entitled 'Of fences and inclosures,' by adding a new section thereto, to be known as section 5671a," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 272, entitled 'An act to amend section 29 of an act entitled 'An act to repeal section 7489; also sections 7490 and 7491, as amended by an act entitled 'An act to amend section 7446, article 4; sections 7455, 7457, article 5; section 7470, article 7; section 7485, article 9; sections 7490 and 7491, article 11; sections 7535 and 7538, article 13, all in chapter 162 of the Revised Statutes of Missouri, relating to township organization,' approved March 17, 1881; also, sections 7492, 7493, 7494; also, section 7495, as amended by

an act entitled 'An act to amend section 7495, article 11, chapter 162, Revised Statutes of Missouri, entitled 'Of township organization, relating to roads and highways,' approved March 26, 1881; also, sections 7496, 7497, 7498, 7499, 7500, 7501, 7502, 7503, 7504, 7505, 7506, 7507, 7508, 7509, 7510, 7511, 7512, 7513; also, section 7514, as amended by an act entitled 'An act to amend section 7514, article 11 of chapter 162 of Revised Statutes of the State of Missouri, relating to roads and highways under township organization,' approved March 26, 1881; also, sections 7515, 7516, 7517, 7518, 7519, 7520, 7521 and 7522, all of article 11, chapter 162 of the Revised Statutes of Missouri, and relating to roads, highways and bridges under township organization, and enacting new sections in lieu thereof,' approved March 29, 1883," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 159, entitled, "An act to protect the public roads in the State of Missouri by repealing section 5666, chapter 105 of the Revised Statutes of 1879," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 106, entitled "An act to amend section 1962 of article XIX. of the Revised Statutes of the State of Missouri of 1879, entitled 'Verdict and judgment and proceedings thereon,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred House bill No. 74, entitled "An act to prevent diseased stock of any kind from running at large," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 91, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 31, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred House joint and concurrent resolution No. 7, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to favor the passage of an act for the suppression of pleuro-pneumonia among domestic animals," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Claycomb moved to suspend the rules, and that Senate bill No. 209, as amended, be engrossed and printed. The motion was agreed to.

Senate bill No. 203, entitled "An act to repeal section 1 of the session acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record, approved April 2, 1883, and to enact a new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Sparks, Taggart and Wood—28.

ABSENT—Senators Harmon, Kerwin, Sebree, Simrall and Smith—5.

ABSENT WITH LEAVE—Senator Webster.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion was agreed to.

On motion of Senator Harmon, the Senate resolved itself into Committee of the Whole.

Senator Jacobs in the chair.

The committee rose, and Senator Jacobs submitted the following report from the Committee of the Whole, which was read and agreed to:

MR. PRESIDENT: Your Committee of the Whole, to whom was referred Senate bill No. 293, report progress and ask leave to sit again.

On motion of Senator Jacobs, the Senate adjourned until to-morrow morning at 10 o'clock.

THIRTY-SIXTH DAY—WEDNESDAY, February 23, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Seabourn introduced Senate bill No. 324, entitled "An act providing for the holding of two terms of the Lawrence county circuit court at the city of Peirce City in said county, and prescribing the jurisdiction thereof," which was read first time and 75 copies ordered printed.

Senator Mansfield introduced Senate bill No. 325, entitled "An act to authorize and empower the county court of Wright county to relieve James A. Tate, treasurer of said county, from the payment of money stolen and belonging to said county," which was read first time and 75 copies ordered printed.

Senator Johnson of Montgomery submitted the following reports from the Committee on Railroads and Internal Improvements, which were read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements to whom was referred Senate bill No. 307, entitled "An act to amend article 8 of chapter 145 of the Revised Statutes of Missouri, relating to the assessment and taxation of railroads, by adding a new section thereto, to be known as section 6871a," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 279, entitled "An act to amend section 832 of chapter 21 of the Revised Statutes of 1879, entitled 'Railroad classification—charges—commissioners,'" beg leave to report that they have carefully examined the same and a majority thereof recommend that it do pass with the accompanying amendment:

Amend by striking out in the 25th line the words "of the age of twelve years or under," and insert in lieu thereof the words "over the age of six and under twelve years," and by adding after the word "prescribed," in the 26th line, the words "and children under six years of age shall be carried free."

The amendment was read first and second times and agreed to.

Senator Johnson of Montgomery submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred House No. 18, entitled "An act to prevent the granting, sending or delivering free passes or tickets, or passes or tickets at a discount, to members of the General Assembly, members of State Board of Equalization, any State, judicial, county or

municipal officer, by any railroad or other transportation company, or any officer, agent or employe of any such company, and to prevent any of said officers from accepting, using or traveling on the same," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendment:

Amend printed bill by adding thereto the following section:

Section 4. There now being no law to enforce section 24 of the Constitution, creates an emergency; therefore, this act shall take effect from and after its passage.

The amendment was read first and second times and not agreed to.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read:

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred House bill No. 311, entitled "An act to amend section 4350, chapter 87, article 1 of the Revised Statutes of the State of Missouri, relating to herding cattle by non-residents," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Proctor submitted the following report from the Committee on Appropriations, which was read:

MR. PRESIDENT: Your Committee on Appropriations, to whom was referred Senate bill No. 235, entitled "An act to appropriate money for the improvement of the State capitol building," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments:

Amendment No. 1. Amend section one of printed bill by striking from line 2 the word "an," and adding the letter "s" to the word "addition."

The amendment was read first and second times and agreed to.

No. 2. Amend by inserting in the second line of section one after the word "thereto" and before the word "and," the following: "and of making the same fire-proof throughout and for building fire-proof vaults in which to keep and preserve the archives of the State."

The amendment was read first and second times and agreed to.

Amendment No. 3. Amend by adding at the end of section one: "*Provided, further,* that the board of commissioners hereinafter constituted and appointed may pay out of said appropriation to architects furnishing the best plans and specifications for the improvement of the said capitol building, in their discretion, a sum not to exceed five thousand dollars. The cost of the improvements to be carefully made out and accompany the plan and specification in each case, and the im-

provement contemplated by this act shall be made to the main building, northwardly and southwardly, if the same be found practicable by the said board of commissioners, and at the same time preservative of the symetry of the main building.

Senator McGinnis offered the following amendment to amendment No. 3:

Amendment to amendment No. 3: Strike out "five" and insert "one."

The amendment was read first and second times and agreed to.

The amendment, as amended, was read first and second times and agreed to.

No. 4. Amend section two by striking out all after the word "for," in the fifth line, to the word "all," in the eighth line, inserting in lieu thereof the following: The enlarging of the main edifice of the State capitol building by additions thereto, and making the same fire-proof and the building of fire-proof vaults therein, and for heating the same, and said contract shall provide for the completion of such improvement on or before the first day of January, 1889.

The amendment was read first and second times and agreed to.

On motion of Senator Jacobs, the rules were suspended and the bill, as amended, was ordered engrossed and printed.

Senator Hazell was granted leave to print Senate bill No. 235 at his own expense.

Senator Johnson of Montgomery submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 125, entitled "An act to amend an act entitled 'An act to amend section 6879, and to repeal section 6880, and to enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads;' also a new section numbered 6886a; also an emergency clause,' approved March 17, 1885, by adding a new section to be numbered 6886b;"

Also, Senate bill No. 278, entitled "An act to amend section 743 of article 1, chapter 21, Revised Statutes of the State of Missouri, 1879, entitled 'Of private corporations;'"

Also, Senate bill No. 275, entitled "An act to amend article II. of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,'" by adding a new section thereto, to be designated as section 7151a;

Also, Senate bill No. 53, entitled "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue;'"

Also, Senate bill No. 232, entitled "An act to provide for the prevention of accidents to railroad employes and others by requiring that switches, frog and guard rails be properly blocked," beg leave to report that they have compared the same and find them to be truly engrossed and that the printed copies thereof furnished to the Senators are correct.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 313, entitled "An act enabling the State to light its public buildings and grounds, located at the city of Jefferson, with electric lights," to Committee on Public Buildings at the Seat of Government;

Senate bill No. 320, entitled "An act to regulate the civil service of the State and of cities thereof, and to create a civil service commissioner, and appropriate money therefor," to Committee on Federal Relations;

Substitute for Senate bill No. 11, entitled "An act to prohibit the employment of children in mills, mines, factories or workshops in this State under the age of fourteen years," to Committee on Labor, Mines and Mining.

Senator Proctor moved that the special order for 10:30 o'clock to-day be made a special order for 11 o'clock on Friday next. The motion was agreed to.

On motion of Senator Sheldon, Senate bill No. 20, entitled "An act to prohibit the employment of minors under the age of fourteen (14) years in mills, mines, factories or management of elevators in this State," was indefinitely postponed.

The following Senate bills were ordered engrossed and printed:

Senate bill No. 249, entitled "An act to amend article 2 of Revised Statutes of Missouri, 1879, entitled 'Offenses against the lives and persons of individuals,' by adding a new section thereto, to be known as section 1282a;"

Senate bill No. 252, entitled 'An act to amend section 5415 of chapter 96 of the Revised Statutes of the State of Missouri, entitled 'Of ditches and drains;''

Senate bill No. 284, entitled "An act concerning mutual savings societies;"

Senator McGinnis moved that the printing of Senate bill No. 284 for information be taken as final printing. The motion was agreed to.

Senate bill No. 112, entitled "An act to repeal an act entitled 'An act in relation to marriage and marriage license,' approved March 26,

1881, and to enact in lieu thereof the following," was indefinitely postponed.

The following Senate bill was ordered engrossed and printed:

No. 257, entitled "An act in relation to releasing mortgages and deeds of trust."

Senator Johnson of Montgomery offered the following amendment to Senate bill No. 241, which was read first and second times and agreed to:

Amend printed bill by adding after the word "Montgomery" and before the word "he," in the sixth line of section 2, the words "and the expenses of renting and keeping the same shall be paid by the City of Montgomery," and by striking out the word "shall," in the sixth line of section 2, where it occurs after the word "he," and inserting in lieu thereof the word "may;" also, by striking out all of section 3, after the word "Montgomery," in the third line thereof, and by inserting the word "city," after "Montgomery;" also, by striking out all of section 10.

Senate bill No. 241, entitled "An act to establish and require the holding of two of the four terms of the probate court of Montgomery county, required by law to be held at the City of Montgomery, with like powers and jurisdiction co-extensive with said county, as pertain to similar courts of record in this State, and for the establishment of a probate office and clerk at said City of Montgomery," was ordered engrossed and printed, as amended.

Senate bills Nos. 240 and 267 were laid over informally.

Senate bill No. 268, entitled "An act relating to stenographers for certain courts and regulating the fees for their service," was ordered engrossed and printed.

Senate bill No. 66 was laid over informally.

Senator Johnson of Montgomery offered the following amendment to Senate bill No. 239, which was read first and second times and agreed to:

Amend printed bill, section 2, by striking out all of said section after the words "its officers," in the seventh line up to and including the words "county treasurer," in the tenth line; also, by inserting the word "law," after the word "by," in the fifth line of section 4; also, by striking out the words "resident of said Montgomery City," in the fourth line of section 5; also, amend section 6 by striking out all of said section after the word "law," in the third line; also, by striking out the word "rent," in the first line of section 7; also, by striking out all of section 16 and insert in lieu thereof the following: "Section 16.

The costs and expenses of renting a suitable room in which to hold said court in Montgomery City, and for said offices herein provided for, shall be paid by said City of Montgomery."

The bill, as amended, was ordered engrossed and printed.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 185, entitled "An act to ascertain the population of any county in this State, and to adjust the salaries of certain officers;"

Senate bill No. 217, entitled "An act to repeal section 2953, article 6, chapter 44 of the Revised Statutes of Missouri for the year 1879; as amended by an act entitled 'An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' approved March 24, 1885, and to enact a new section in lieu thereof, to be known as section 2953 ;"

Senate bill No. 299, entitled "An act to create a park commission in any county in which there is a city now having, or which may hereafter have a population of 50,000 or more; to establish a park district and provide public parks, highways and boulevards therein."

Senate bill No. 271, entitled "An act to repeal section 2174 of chapter 28 of the Revised Statutes of Missouri, entitled 'Of divorce, alimony and custody of children,'" was indefinitely postponed, upon motion of Senator Sheldon.

Senate bill No. 265, entitled "An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of one hundred and fifty thousand inhabitants or more, and providing for their compensation," was taken up.

Senator Allen offered the following amendment, which was read first and second times and agreed to :

Amend section one by striking out the word "one," between the words "of" and "hundred," and inserting the word "three" in lieu thereof in the sixth line of printed bill.

The bill, as amended, was ordered engrossed and printed.

Senate bill No. 273 was laid over informally.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 244, entitled "An act to amend section 3310 of the Revised Statutes of Missouri of 1879; "

Senate bill No. 58, entitled "An act to establish the thirteenth judicial circuit, and to provide for the appointment of a circuit judge thereof, and to fix the times of holding court therein ;"

Senate bill No. 181, entitled "An act to amend section 3833 of chapter 62 of the Revised Statutes of of the State Missouri, entitled 'Of recorders of deeds;'"

Senate bill No. 281, entitled "An act to amend section 482 of chap-

ter 7 of the Revised Statutes of Missouri entitled 'Of attorneys at law;'"

Substitute for Senate bill No. 108, entitled "An act to amend chapter 51, Revised Statutes, 1879, entitled 'Of married women,' by adding a new section thereto, to be known as section 3296*a*;"

Substitute for Senate bill No. 127, entitled "An act to enlarge the rights and liabilities of married women, and to repeal section 3291 of chapter 51 of the Revised Statutes of Missouri of A. D. 1879, relating to married women, by adding five sections in lieu thereof, to be designated sections 3291, 3291*a*, 3291*b*, 3291*c* and 3291*d*;"

Substitute for Senate bill No. 128, entitled "An act to amend section fifteen hundred and fifty of article eight of chapter twenty-four of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure;'"

Senate bill No. 106, entitled "An act to amend section 1962 of article XIX. of the Revised Statutes of the State of Missouri, entitled 'Verdict and judgment and proceedings thereon,'" was indefinitely postponed.

Senate bill No. 160, entitled "An act to repeal section 6723 of article 2, chapter 145 of the Revised Statutes of Missouri of 1879, and to enact anew section in lieu thereof, with an emergency clause," was indefinitely postponed.

The following Senate bills were ordered engrossed and printed:

Senate bill No. 159, entitled "An act to protect the public roads in the State of Missouri, by repealing section 5666, chapter 105 of the Revised Statutes of 1879;"

Senate bill No. 233, entitled "An act to authorize county clerks to practice as attorneys and counselors at law;"

Senate bill No. 253, entitled "An act to provide for placing the statuaries of Thomas H. Benton and Francis P. Blair, Jr., in the national hall of statuary at Washington;"

Senate bill No. 270, entitled "An act to amend an act entitled 'An act to repeal section 7125, article 1, chapter 150 of the Revised Statutes of Missouri, 1879, entitled 'Of schools,' and to insert in lieu thereof a new section;"

Senate bill No. 272, entitled "An act to amend section 29 of an act entitled 'An act to repeal section 7489; also sections 7490 and 7491, as amended by an act entitled 'An act to amend section 7446, article 4; sections 7455, 7457, article 5; section 7470, article 7; section 7485, article 9; sections 7490 and 7491, article 11; sections 7535 and 7538, article 13, all in chapter 162 of the Revised Statutes of Missouri, relating to township organization;' approved March 17, 1881; also, sections 7492,

7493, 7494; also, section 7495, as amended by an act entitled 'An act to amend section 7495, article 11, chapter 162, Revised Statutes of Missouri, entitled of township organization, relating to roads and highways,' approved March 26, 1881; also, sections 7496, 7497, 7498, 7499, 7500, 7501, 7502, 7503, 7504, 7505, 7506, 7507, 7508, 7509, 7510, 7511, 7512, 7513; also, section 7514, as amended by an act entitled 'An act to amend section 7514, article 11 of chapter 162 of Revised Statutes of the State of Missouri, relating to roads and highways under township organization,' approved March 26, 1881; also, sections 7515, 7516, 7517, 7518, 7519, 7520, 7521 and 7522, all of article 11, chapter 162 of the Revised Statutes of Missouri, and relating to roads, highways and bridges under township organization, and enacting new sections in lieu thereof,' approved March 29, 1883."

Senate bill No. 274, entitled "An act to amend chapter 104, Revised Statutes of Missouri, 1879, entitled 'Of fences and inclosures,' by adding a new section thereto, to be known as section 5671a;"

Senate bill No. 276, entitled "An act to amend section 6489 of the Revised Statutes of 1879, as amended by act of the General Assembly, approved March 31, 1883;"

Senate bill No. 297, entitled "An act to authorize county courts to refund county and township bonds at a lower rate of interest;"

Senate bill No. 302, entitled "An act authorizing county collectors to pay into the county treasury, pending litigation, money in their hands claimed by both the State and county or municipal townships;"

Joint and concurrent resolution No. 5, requesting our Senators and Representatives in Congress to vote for and use all honorable means to procure the passage of the Miller bill, that has for its object the extirpation of the dread disease, pleuro-pneumonia.

Senate bill No. 92, entitled "An act to amend section 2 of an act entitled 'An act to regulate sales of real estate under mortgages and deeds of trust, and the manner of giving notice thereof,' approved March 27, 1885;"

Senate bill No. 4, entitled 'An act to repeal an act entitled 'An act to provide for the convenient delivery of railroad freight in the city of St. Louis,''' was indefinitely postponed.

Senate bill No. 71, entitled "An act to amend sections 8, 9, 10, 11 and 12 of an act entitled 'An act creating a board of health for the State of Missouri, defining its duties and powers and fixing the compensation of its officers,' approved March 29, 1883," was indefinitely postponed.

Senate bill No. 290, was called up, with following pending amendments:

Amend printed bill No. 290 by striking out after the word "per-

sons," in the second line to the word "unlawfully," in the seventh line and insert in lieu thereof the following: "Claiming to be (or being) a detective, or to belong to any so-called detective agency, and not being a peace officer of this State to."

The amendment was read first and second times and agreed to.

Amend printed bill No. 290, by striking out all of bill after section one.

The amendment was read first and second times and not agreed to.

Senator Claycomb offered the following amendment, which was read first and second times and agreed to:

Amend section 2 by striking out the word "who," in the second line of the section.

The bill as amended was ordered engrossed and printed.

Substitute for Senate concurrent resolution No. 4, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof, concerning the adoption of a general local option law, was indefinitely postponed.

Senator Seabourn moved to reconsider the vote by which Senate bill No. 92 was ordered engrossed and printed. The motion was adopted.

Senator Seabourn offered the following amendment, which was read first and second times and agreed to.

Amend section 2 of printed bill No. 92 by inserting between the words "printed" and "hand," in the 22d line, the words "or written."

The bill, as amended, was ordered engrossed and printed.

Senator Smith introduced Senate bill No. 326, entitled "An act to separate the Agricultural College of this State, now a department of the State University, and to withdraw the same therefrom, and to locate it under the name and style of the 'Missouri College of Agriculture and Mechanic Arts,' as provided by an act of Congress, July 2, 1862, and to transfer with it the agricultural land fund endowment made by the general government as aforesaid, and to appropriate money therefor," which was read first time and 75 copies ordered printed.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 310, entitled "An act to amend section 5442 of chapter 98 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of dramshops,' as amended by act approved March 24, 1883," to Committee on Criminal Jurisprudence.

Senate bill No. 312, entitled "An act authorizing non-resident executors to sell and convey real estate situate in this State," to Committee on Judiciary.

Senate bill No. 314, entitled "An act to prevent any person circu-

lating petition for a dramshop license, from forging, procuring or allowing to be forged, any name or names thereon, and prevent such license from being granted, and providing for appeal to the circuit court," to Committee on Criminal Jurisprudence.

Senate bill No. 315, entitled "An act to prevent any clerk of any court or any officer of any court from buying fees," to Committee on Judiciary.

Senate bill No. 316, entitled "An act to provide for the *per diem* compensation of the Speaker of the House of Representatives as such," to Committee on Judiciary.

Senate bill No. 318, entitled "An act to transfer to the school fund in each of the counties in this State taxes and penalties paid into the county treasury upon land sold for non-payment of taxes for which certificates of purchase are issued and redeemed in two years after the sale thereof, and to provide a limitation for the non-claim of the party entitled thereto," to Committee on University, Public and Normal School Education.

Senate bill No. 319, entitled "An act in relation to liability of railroad corporations for damage done by sub-contractors in building any railroad, or part of any railroad, in this State," to Committee on Railroads and Internal Improvements.

Senate bill No. 321, entitled "An act to repeal section 2117, article 25, chapter 24, Revised Statutes of 1879, entitled 'Of costs in criminal cases,' and to enact a new section in lieu thereof, to be known as section 2117," to Committee on Criminal Jurisprudence.

Senate bill No. 322, entitled "An act relating to stenographers for certain criminal courts," to Committee on Criminal Jurisprudence.

Senate bill No. 237, entitled "An act to provide for the establishment of a new Normal School district by dividing all that portion of the State of Missouri lying south of the Missouri river, and known as Normal School District No. 1, into two districts, to be known hereafter as Normal School Districts No. 1 and No. 4; and also to establish a Normal School at or near Maryville, Nodaway county, State of Missouri, to be known as Normal School No. 4, and to provide for the erection of suitable buildings, and to appropriate money therefor, and to repeal all acts and parts of acts inconsistent herewith," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Davisson, Gideon, Hazell, Johnson of Madison, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Smith and Sparks—21.

NOES—Senators Claycomb, Hunter, Sebree and Taggart—4.

ABSENT—Senators Jacobs, Johnson of Montgomery and Kelly—3.

ABSENT ON LEAVE—Senators Castleman, Downing, Harmon, Simrall and Webster—5.

SICK—Senator Wood.

The title was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following communication was received from the House of Representatives through its Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, amended, and passed Senate bill No. 1, with emergency clause, entitled "An act providing that any city having a population of more than one hundred thousand inhabitants may frame a charter for its own government, and regulating the same."

In which the concurrence of the Senate is respectfully requested.

Amend Senate bill No. 1 by adding after the word village, in 21st line of section 41 printed bill, the following: *Provided, further*, that before such city shall extend its limits so as to include any incorporated city, town or village, four-sevenths of the qualified voters of the incorporated city, town or village, voting at such election, so desired to be included within the limits of such city, shall vote in favor of such proposition at an election held for that purpose to be determined in the following manner, to wit: Whenever such city shall desire to include within its limits any incorporated city, town or village, the mayor of such city shall inform the mayor, or other chief officer of the incorporated city, town or village proposed to be so taken in, of its intention to include said city, town or village within the limits. The mayor thereof shall order a special election to determine the wish of said city, town or village, giving twenty days' public notice of the time and places of holding such election, and the purposes for which it is to be held—said election to be governed by the general laws governing said city, town or village in respect to the holding of general elections. And if four-sevenths of the qualified voters voting at such election shall vote in favor of the proposed extension, the mayor thereof shall certify the result to the mayor of such city, and such city may proceed to so extend its limits as provided in this section.

Amend Senate bill No. 1, by adding after the word "population," in line two, section 14, the following words, to wit: "with a view solely to placing itself under the provisions of this act."

Senate bill No. 152 was taken up.

Senator Gideon moved that the Senate take a recess until two o'clock; which was carried.

AFTERNOON SESSION.

The President *pro tem.* called the Senate to order.

The following House bills were read first time:

House bill No. 7, entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies;"

House bill No. 141, entitled "An act to amend an act entitled 'Druggists—intoxicating liquors,' approved March 29, 1883, by adding a new section thereto, relieving registered druggists from serving as jurors;"

House bill No. 161, entitled "An act to prevent and punish the sale of oleomargarine or butterine as butter, and to repeal an act entitled 'An act to prevent the manufacture and sale of oleaginous substances or compounds of the same, in imitation of the pure dairy products,' approved March 24, 1881;"

House bill No. 214, entitled "An act to amend an act entitled 'An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' by adding thereto one new section (to be known as section No. 5003 $\frac{1}{2}$), relating to the police regulations of cities of the fourth class," approved March 14, 1885;"

Senator Claycomb introduced Senate bill No. 327, entitled "An act to amend section 1 of an act entitled 'An act to authorize any city containing more than 20,000 and less than 250,000 inhabitants, existing by virtue of special or local laws, to extend its limits and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained," which was read first time and 75 copies ordered printed.

Senate bill No. 152, entitled "An act entitled an act to amend chapter 98 of the Revised Statutes of Missouri, 1879, entitled 'Of dram-shops,' by adding two new sections thereto, to be known as section 5468*a* and 5468*b*," was taken up.

Senator Mackey moved to lay the bill over informally. The motion was not agreed to by the following vote:

AYES—Senators Ball, Gideon, Hazell, Hunter, Johnson of Montgomery, Mackey, Proctor, Sebree, Sheldon, Smith and Taggart—11.

NOES—Senators Allen, Claycomb, Davisson, Jacobs, Kerwin, Ketchum, McGinnis, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sears and Sparks—14.

ABSENT WITH LEAVE—Senators Castleman, Downing, Harmon Johnson of Madison, Kelly, Mansfield, Simrall, Webster and Wood—9.

The bill was then read third time and failed to pass by the following vote:

AYES—Senators Ball, Gideon, Hazell, Mackey, Ryors, Sears, Sebree, Sheldon, Smith, Sparks and Taggart—11.

NOES—Senators Allen, Claycomb, Davisson, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Saltonstall and Seabourn—14.

ABSENT—Senators Johnson of Madison, Kelly and Proctor—3.

ABSENT WITH LEAVE—Senators Castleman, Downing, Harmon, Simrall and Webster—5.

SICK—Senator Wood.

Senator Ryors moved to reconsider the vote by which the bill failed to pass, and to lay that motion on the table. The latter motion prevailed.

Senator Sears introduced Senate bill No. 328, entitled "An act to provide for the consolidation of municipal corporations, arranging the wards therein, and providing for elections after consolidation," which was read first time, rules suspended and bill ordered not printed.

Senator Sheldon introduced Senate bill No. 329, entitled "An act to establish the Southwest Normal School at El Dorado Springs, in Cedar county, Missouri, and to appropriate money therefor," which was read first time and 75 copies ordered printed.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred for enrollment Senate joint and concurrent resolution No. 6, entitled "Joint and concurrent resolution authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer, to cancel vouchers, destroy warrants and enter settlement on the books of the Auditor and Treasurer," beg leave to report that they have carefully examined the same and find it truly enrolled.

The President *pro tem.* announced that all other business would be suspended, and directed the Secretary to read at length joint and concurrent resolution No. 6, authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer, to cancel vouchers, destroy warrants and enter settlement on the books of the Auditor and Treasurer. The resolution was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no business intervening, affixed his signature to said bill. It was then taken to the House of Representatives,

read at length and signed by the Speaker, and immediately presented to the Governor for his signature and approval.

Senator Ball introduced Senate bill No. 330, entitled "An act relating to county, township or city railroad indebtedness, and the assessment of railroads, and the collection of taxes thereof," which was read first time and 75 copies ordered printed.

Senate bill No. 206, entitled "An act to pay to the county of McDonald school moneys improperly withheld from it for the year 1875," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Smith and Taggart—22.

NOES—Senators Parcher and Sparks—2.

ABSENT—Senators Johnson of Madison, Moran and Saltonstall—3.

ABSENT WITH LEAVE—Senators Castleman, Downing, Harmon, Kelly, Simrall and Webster—6.

SICK—Senator Wood.

The title was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 165, entitled "An act to repeal section 2400 of chapter 32, Revised Statutes of 1879, entitled 'Of executions,' and to enact a new section in lieu thereof, to be known as section No. 2400," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks and Taggart—24.

ABSENT—Senators Johnson of Madison, Kelly, Mansfield and Moran—4.

ABSENT WITH LEAVE—Senators Castleman, Downing, Harmon, Simrall and Webster—5.

SICK—Senator Wood.

The title was read and agreed to.

Senator Ryors moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

On motion of Senator Ball, the Senate adjourned until to-morrow morning at 10 o'clock.

THIRTY-SEVENTH DAY—THURSDAY, February 24, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President *Pro Tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Chair ruled that the indefinite postponement of substitute for joint and concurrent resolution No. 4 on yesterday was not in order, and that the resolution was still before the Senate.

Senator Claycomb submitted the following report from the Committee on Labor, Mines and Manufactories, which was read:

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred Senate bill No. 231, entitled "An act to repeal an act approved March 31, 1885, entitled 'An act entitled an act to amend an act entitled an act to provide for the payment of wages of labor in the lawful money of the United States and to enact two new sections in lieu thereof,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Claycomb, Senate bill No. 231 was indefinitely postponed.

Senator Claycomb submitted the following reports from the Committee on Labor, Mines and Manufactories, which were read:

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred House bill No. 129, entitled "An act to amend sections 1 and 2 of an act entitled 'An act to amend an act entitled an act to provide for the payment of wages of labor in the lawful money of the United States, approved March 31, 1885,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred House bill No. 29, entitled "An act to repeal an act entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same,' approved March 23, 1881; also, an act entitled 'An act to amend section one (1) of the acts of 1881, entitled 'An act providing for the health and safety of persons employed in coal mines, and providing

for the inspection of the same,' approved March 20, 1885; also, to enact 'An act to provide for the health and safety of persons employed in mines, and providing for the inspection of same,' beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Sebree submitted the following report from the Committee on Justices of the Peace, which was read :

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred House bill No. 15, entitled "An act to amend section 2931 of article 6, chapter 44 of the Revised Statutes of Missouri of 1879, entitled 'Of justices courts,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Allen submitted the following report from the Committee on Corporations other than Railroad and Insurance Companies, which was read :

MR. PRESIDENT: Your Committee on Corporations other than Railroad and Insurance Companies, to whom was referred House bill No. 197, entitled "An act to amend section 5021, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

Substitute for Senate joint and concurrent resolution No. 4 was taken up and laid over informally.

Senate bills Nos. 238 and 245 were laid over informally.

Senate bill No. 247, entitled "An act entitled 'An act to amend section 5032 of the Revised Statutes of Missouri, entitled 'Of villages,'" was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks and Taggart—27.

ABSENT—Senators Moran and Ryors—2.

ABSENT WITH LEAVE—Senators Castleman, Downing, Simrall and Webster—4.

SICK—Senator Wood.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield,

Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks and Taggart—27.

ABSENT—Senators Moran and Ryors—2.

ABSENT WITH LEAVE—Senators Castleman, Downing, Simrall and Webster—4.

SICK—Senator Wood.

The title was read and agreed to.

Senator Smith moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Johnson of Montgomery submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate joint and concurrent resolution No. 12, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means proper, in their legislative capacity, to secure an appropriation of \$50,000 for the purpose of straightening Grand river;"

Also, Senate bill No. 280, entitled "An act to authorize railroad companies to use in common railroad tracks in cities of over 40,000 inhabitants, and providing for the appointment and prescribing the powers and duties of a terminal superintendent of such tracks, and the mode and manner in which a railroad company may acquire an easement over such tracks, and the compensation to be paid therefor;"

Also, Senate bill No. 235, entitled "An act to appropriate money for the improvement of the State capitol building;"

Also, Senate bill No. 86, entitled "An act to authorize a vote of the people to be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State," beg leave to report that they have compared the same, and find them to be truly engrossed, and that the printed copies thereof furnished the Senators are correct.

Senate bill No. 328, entitled "An act to provide for the consolidation of municipal corporations, arranging the wards therein, and providing for elections after such consolidation," was read second time and referred to the Committee on Corporations other than Railroad and Insurance Companies.

Senator Harmon moved that the Senate resolve itself into Committee of the Whole for the consideration of Senate bill No. 293. The motion was agreed to by the following vote:

AYES—Senators Allen, Ball, Claycomb, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Moran, Parcher, Seabourn, Sears, Sparks and Taggart—16.

NOES—Senators Davisson, Johnson of Madison, Kelly, Ketchum

McGinnis, Mackey, Mansfield, Proctor, Ryors, Saltonstall, Sebree, Sheldon and Smith—13.

ABSENT WITH LEAVE—Senators Castleman, Downing, Simrall and Webster—4.

SICK—Senator Wood.

The Senate resolved itself into Committee of the Whole.

Senator Jacobs in the chair.

The committee arose and Senator Jacobs submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole, which has had under consideration Senate bill No. 293, desires to report progress and asks leave to sit again.

On motion of Senator Ketchum, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President *pro tem.* called the Senate to order.

The following Senate bills were read second time and referred to committees, as follows :

Senate bill No. 317, entitled "An act to provide for the return of prisoners to the penitentiary convicted of the violation of the conditions of their pardon," to Committee on Criminal Jurisprudence.

Senate bill No. 323, entitled "An act prescribing limitation for bringing action on special tax bills, special assessments, and for bringing actions for and against property sold for taxes," to Committee on Ways and Means.

The following House bills were read second time and referred to committees, as follows :

House bill No. 7, entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies," to Committee on Corporations other than Railroad and Insurance Companies ;

House bill No. 141, entitled "An act to amend an act entitled 'Druggists—intoxicating liquors,' approved March 29, 1883, by adding a new section thereto, relieving registered druggists from serving as jurors," to Committee on Criminal Jurisprudence ;

House bill No. 161, entitled "An act to prevent and punish the sale of oleomargarine or butterine as butter, and to repeal an act entitled 'An act to prevent the manufacture and sale of oleaginous substances or compounds of the same in imitation of the pure dairy products,' approved March 24, 1881," to Committee on Criminal Jurisprudence ;

House bill No. 214, entitled "An act to amend an act entitled 'An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of cities, towns and villages,' by adding thereto one new section, to be known as section No. 5003 $\frac{1}{2}$, relating to the police regulations of cities of the fourth class, approved March 14, 1885," to Committee on Criminal Jurisprudence.

Senator Claycomb submitted the following report from the Committee on Labor, Mines and Manufactories :

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred Senate bill No. 11, entitled "An act to prohibit the employment of children in mills, mines, factories or workshops in this State under the age of fourteen years," together with the substitute therefor, beg leave to report that they have carefully examined the same and recommend that the substitute do pass.

The substitute for Senate bill No. 11 was read first and second times and adopted.

Senator Moran submitted the following report from the Committee on Corporations other than Railroad and Insurance Companies, which was read :

MR. PRESIDENT: Your Committee on Corporations other than Railroad and Insurance Companies, to whom was referred Senate bill No. 304, entitled "An act to amend chapter 21 of Revised Statutes of Missouri, 1879, entitled 'Of private corporations,' by adding thereto a new article, to be entitled article 11, 'Of training schools for minors,'" beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments :

Amend printed bill by striking out all of sections nine and ten.

The amendment was read first and second times and agreed to.

Amend printed bill by striking out section fifteen, and substituting the following therefor : No training school organized under the provisions of this act shall receive any appropriation from the State. Any school receiving such appropriation shall not be entitled to the benefit of the provisions of this act.

The amendment was read first and second times and agreed to.

The bill, as amended, was ordered engrossed and printed.

The Senate resolved itself into Committee of the Whole for the consideration of Senate bill No. 293.

Senator Jacobs in the chair.

The committee arose and Senator Jacobs submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole, to whom was referred Senate bill No. 293, begs leave to report that it has had under

consideration said bill, and has made progress, and begs leave to sit again.

Senator Moran introduced Senate bill No. 331, entitled "An act to provide the method and procedure of adding additional territory to incorporated cities, towns and villages," which was read first time and 75 copies ordered printed.

Senator Ball introduced Senate bill No. 332, entitled "An act to amend section 3 of an act entitled 'An act to amend sections 5438, 5440, 5442, 5456, 5464, and to repeal section 5462 of chapter 98, entitled 'Of dramshops,'" which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 333, entitled "An act to provide for services of process in proceedings relating to corporate franchises, offices, officers and elections," which was read first time and 75 copies ordered printed.

Senator Hunter submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 309, entitled "An act to prevent the intimidation of laborers, and to provide a penalty for the violation of this act," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 301, entitled "An act to amend chapter 167, Revised Statutes of Missouri of 1879, entitled 'Of weights and measures,' by adding a new section thereto, to be designated as section 7668a," beg leave to report that they have carefully examined the same and recommend that the substitute do pass.

The substitute was read first and second times and adopted.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 100, entitled "An act to amend an act entitled 'An act approved March 17, 1885,' entitled 'Dramshops,'" beg leave to report that they have carefully examined the same and recommend that it do pass with amendment:

Amend Senate bill No. 100 by striking out the word "five," in the eight line of printed bill, and insert in lieu thereof the words "four and one-half."

The amendment was read first and second times and agreed to.

Senator Hunter submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 78, entitled "An act to amend

section 2 of an act entitled an act 'Druggists—intoxicating liquors,' approved March 29, 1883," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 62, entitled "An act to repeal section 6334, chapter 129 of the Revised Statutes of Missouri, entitled 'Of merchants' licenses,' and to enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass with amendment.

Amend Senate bill No 62 by striking out the word "ten," in the tenth line of printed copy and insert in lieu thereof the word "five."

The amendment was read first and second times and agreed to.

Senator Hunter submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 85, entitled "An act to prevent the use of any substitute for hops or pure extract of hops in the manufacture of ale or beer, and to preserve the public health," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 295, entitled "An act to amend section 5436 of chapter 98, Revised Statutes, 1879, entitled 'Of dramshops,' and to repeal section 5442 of said chapter, as amended by an act entitled 'An act to amend sections 5438, 5440, 5441, 5442, 5456, 5464, to repeal section 5462 of chapter 98, and adding three new sections thereto, entitled 'Of dramshops,' approved March 24, 1883, and enact a new section in lieu thereof, to be known as section 5442, and add two new sections," beg leave to report that they have carefully examined the same and recommend that it do pass with following amendment:

Amend Senate bill No. 295 by striking out all of section "one."

Amend Senate bill No. 295 by striking out figures "2, 3 and 4," in sections 2, 3 and 4 of printed bill, and insert in lieu thereof figures "1, 2 and 3."

The amendment was read first and second times and agreed to.

Senator Allen submitted the following report from the Committee on Corporations other than Railroad and Insurance Companies, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroad and Insurance Companies, to whom was referred Senate bill No. 259, entitled "An act to amend sections one and two and to repeal

section seven of an act to provide for the ascertainment of and payment for damages done by municipal corporations to private property for public use, as directed by section 21 of article 2 of the State Constitution, entitled 'Cities, towns and villages—damages to private property for public use,'” beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Allen introduced Senate bill No. 334, entitled “An act to define the jurisdiction of the St. Louis Court of Appeals, the Kansas City Court of Appeals, and such other courts of appeals as may hereafter be established by the General Assembly of the State of Missouri,” which was read first time, rules suspended and ordered not printed.

On motion of Senator Jacobs, the Senate adjourned until 10 o'clock to-morrow morning.

THIRTY-EIGHTH DAY—FRIDAY, February 25, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Allen introduced Senate bill No. 335, entitled “An act amending and in revision of all acts creating a board of police commissioners, and authorizing the appointment of a permanent police force of the City of Kansas, approved March 27, 1874, and subsequent amendments thereto, approved February 8, 1875, March 22, 1881, and March 24, 1881, which was read first time, and rules suspended and bill ordered not printed.

Senator Seabourn offered Senate joint and concurrent resolution No. 13, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof providing for the election by the qualified voters of this State of the clerk of the Supreme Court, the clerk of the St. Louis Court of Appeals, the clerk of the Kansas City

Court of Appeals, and of any other courts of appeals which may hereafter be established, which was read first time, rules suspended and resolution ordered not printed.

Senator Johnson of Montgomery introduced joint and concurrent resolution No. 14, that the Thirty-fourth General Assembly of the State of Missouri adjourn *sine die* at noon Wednesday, March 16, 1887, which was read.

Senator Downing offered the following resolution, which was read :

Resolved, That the time of meeting of the Senate during the remainder of the session, unless otherwise ordered by the Senate, shall be nine o'clock in the forenoon and two o'clock in the afternoon.

Senator Mansfield was granted leave of absence for two weeks from next Monday.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 209, entitled "An act to prohibit railroad companies, corporations or individuals owning, operating or managing any railroad in the State of Missouri, from consolidating the stock, property or franchises of such company, corporation or individual, or from leasing, purchasing or in any other manner acquiring an interest in the works or franchises of, or in any way whatever to any degree exercising control over any railroad company, corporation or individual owning, operating, or having under his or their control or management a parallel or competing line in this State, and to prescribe penalties therefor, and the means of enforcing the provisions of this act, and to repeal all acts or parts of acts in conflict or inconsistent herewith ;"

Also, Senate bill No. 297, entitled "An act to authorize county courts to refund county and township bonds at a lower rate of interest ;"

Also, Senate bill No. 302, entitled "An act authorizing county collectors to pay into the county treasury, pending litigation, money in their hands claimed by both the State and county or municipal townships ;"

Also, Senate bill No. 159, entitled "An act to protect the public roads in the State of Missouri, by repealing section 5666, chapter 105 of the Revised Statutes of 1879," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Claycomb submitted the following report from the Committee on Labor, Mines and Manufactories, which was read :

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred House bill No. 105, entitled "An act to amend sections 1 and 2 of an act entitled 'An act to regulate the weighing of coal at mines, and to establish a just and uniform system of

weights between employers and employes, approved March 18, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendments.

Amendment No. 1. Amend by striking out all of section one.

The amendment was read first and second times and agreed to.

No. 2. Amend by striking out in the first line of section 2, the following words and figures: "Sec. 2. That section 2 of the aforesaid act," and insert in lieu thereof the following words and figures: "Section 1. That section 2 of an act entitled 'An act to regulate the weighing of coal at the mines, and to establish a just and uniform system of weights between employers and employes, approved March 18, 1885.'"

The amendment was read first and second times and agreed to.

No. 3. Amend by striking out of section 2 where they occur, the following words: "and the coal while being weighed shall be at a standstill upon the scale or scales used for weighing same."

The amendment was read first and second times and agreed to.

No. 4. Amend the title by striking out the following words and figures: "to amend sections 1 and 2," and insert in lieu thereof the following words: "to amend section 2."

The amendment was read first and second times and agreed to.

Senator Claycomb submitted the following report from the Committee on Labor, Mines and Manufactories, which was read:

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred House bill No. 140, entitled "An act to amend section 2121 of the Revised Statutes of the State of Missouri," beg leave to report that they have carefully examined the same and recommend that it be referred to the Committee on Judiciary.

House bill No. 140 was referred to the Committee on Judiciary.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 328, entitled "An act to provide for the consolidation of municipal corporations, arranging the wards therein, and providing for the election after such consolidation," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 328 was ordered engrossed and printed, the rules being suspended for that purpose.

Senator Wood submitted the following reports from the Committee on University, Public and Normal School Education, which were read:

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 148, enti-

tled "An act to amend section 7027 of article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 147, entitled "An act to amend an act of the General Assembly entitled 'An act to repeal section 7023, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

The above Senate bills, Nos. 147 and 148, were indefinitely postponed.

Senator Wood submitted the following report from the Committee on University, Normal and Public School Education, which was read:

MR. PRESIDENT: Your Committee on University, Norman and Public School Education, to whom was referred Senate bill No. 194, entitled "An act to repeal an act entitled 'An act to repeal section 7023, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,'" and to insert a new section in lieu thereof, approved March 29, 1883, and to enact a new section in lieu thereof, to be numbered 7023," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment:

Amendment to House bill No. 194. Amend House bill No. 194, by adding "*Provided, however*, the resident voters, upon any island, in any of the navigable rivers of this State, may organize into a school district without being subject to the restrictions in the preceding portion of this section."

The amendment was read first and second times and agreed to.

Senator Wood submitted the following reports from the Committee on University, Public and Normal School Education, which were read:

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred House bill No. 63, entitled "An act to prevent county commissioners of public schools from granting certificates without first having examined the applicant in the branches required by law to be taught in the public schools," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on University, Public and Normal Schools, to whom was referred House bill No. 107, entitled "An act to amend sections 7148 and 7152 of article 2, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools,'" beg leave to

report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on University, Normal and Public School Education, to whom was referred Senate bill No. 220, entitled "An act to repeal section 7162 of article 3, chapter 150 of the Revised Statutes of 1879, entitled 'Of schools,' and to enact a new section in lieu thereof to be numbered 7162," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 222, entitled "An act to regulate the course of study in the public schools," beg leave to report that they have carefully examined the same and recommend that it do pass.

The following Senate bill was read second time and referred to committee, as follows :

Senate bill No. 334, entitled "An act defining the jurisdiction of the St. Louis Court of Appeals, the Kansas City Court of Appeals, and such other courts of appeals as may hereafter be established by the General Assembly of the State of Missouri," to the Committee on Judiciary.

The following communication was received from the House of Representatives through its Chief Clerk, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 397, entitled "An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' by adding a new section thereto, to be known as section 5003 α ;"

Also, House bill No. 399, entitled "An act to amend section 2695, chapter 39, Revised Statutes, 1879, entitled 'Of homesteads,' by adding thereto."

Also, House bill No. 108, entitled "An act to amend section 5365 of article 4, chapter 95 of the Revised Statutes of 1879 of the State of Missouri, entitled "County treasurers and county warrants ;"

Also, House bill No. 166, entitled "An act to repeal section 2305 of the Revised Statutes of Missouri, 1879, and to enact a section in the place thereof, to be numbered 2305 ;"

Also, House bill No. 378, entitled "An act to provide for detaching farming land, and land not used for corporate purposes, from municipal corporations containing twenty thousand inhabitants or less ;"

Also, House bill No. 370, entitled "An to repeal section 6196 of the Revised Statutes of the State of Missouri of 1879, relating to swamp lands, and to enact a new section in lieu thereof ;"

Also, House bill No. 228, entitled "An act to amend section 3717 Revised Statutes of Missouri, as amended by section 8 of an act entitled 'An act to amend sections 3636, 3638, 3639, 3641, 3710, 3712, 3713, 3714, 3717 and 3720, chapter 59, Revised Statutes of Missouri, 'Of practice in civil cases,' approved March 28, 1885;"

Also, House bill No. 339, entitled "An act to amend section 4 of an act entitled 'An act to amend section eight (8) of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 26, 1881, and to add three new sections to said act, approved March 29, 1883.' "

Also, House bill No. 227, entitled "An act to repeal sections 7041, 7042 and 7043, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof, to be numbered 7041, 7042 and 7043;"

Also, House bill No. 165, entitled "An act to amend section 3562 of the Revised Statutes of the State of Missouri, 1879, chapter 59, entitled 'Of practice in civil cases;'"

Also, House bill No. 19, entitled "An act to amend section 5652, chapter 104 of the Revised Statutes of the State of Missouri, entitled 'Of fences and inclosure,'" as amended by act approved March 27, 1885;"

Also, House bill No. 64, entitled "An act to amend section 1666 of article 9 of chapter 24 of the Revised Statutes of Missouri for 1879, in relation to crimes and criminal procedure, miscellaneous provisions and matters of practice;"

Also, House bill No. 164, entitled "An act to amend section 5437, chapter 98 of Revised Statutes of Missouri, 1879, entitled 'Of dramshops;'"

Also, House bill No. 84, entitled "An act to provide for locating and erecting a State reform school for boys;"

Also, substitute for House bill No. 100, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for the distribution and sale thereof,' approved March 31, 1885, by inserting certain words and adding others;"

Also, substitute for House bill No. 251, entitled "An act concerning assessment lists, merchants' statements, bonds of road overseers, statements of road overseers, petitions for dramshop license and bonds of dramshop keepers, and authorizing the county courts of the several counties of the State to make orders for the destruction of the same," in which the concurrence of the Senate is respectfully requested.

Senator Allen was granted leave of absence from noon to-day until Tuesday morning.

Senator Hunter was granted leave of absence until to-morrow.

Senator Harmon moved that the Senate go into Committee of the whole on Senate bill No. 293. The motion was agreed to by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Downing, Gideon, Harmon, Hazel, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Mackey, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sparks and Taggart—20.

NOES—Senators Ball, Davisson, Kelly, Ketchum, McGinnis, Proctor, Sheldon, Smith and Wood—9.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Hunter, Mansfield, Simrall and Webster—4.

The Senate resolved itself into Committee of the Whole.

Senator Jacobs in the chair.

The committee arose and the regular session was resumed.

Senator Jacobs submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole, to whom was referred Senate bill No. 293, beg leave to report that it has considered the same and recommends that it do pass.

Senator Proctor called up special order for 11 o'clock Senate bill No. 95.

On motion of Senator Ryors, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Sears introduced Senate bill No. 336, entitled "An act entitled an act to repeal section 3199, chapter 47, article 3 of the Revised Statutes of the State of Missouri, entitled of 'Liens of inn and boarding house keepers ;'" which was read first time, rules suspended and bill ordered not printed.

Senate bill No. 95, entitled "An act appropriating money to properly equip the State Agricultural College and Farm of Missouri," was read third time and passed by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Jacobs, Johnson of Montgomery,

Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Sparks, Taggart, Webster and Wood—27.

NOES—Senators Johnson of Madison and Smith—2.

ABSENT WITH LEAVE—Senators Allen, Hunter, Mansfield, Sebree and Simrall—5.

The title was read and agreed to.

Senator Proctor moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Sebree was granted leave of absence until Tuesday morning.

The rules were suspended and Senate bill No. 88 was taken up.

Senate bill No. 88, entitled "An act to appropriate money for the purpose of erecting additions and making other necessary improvements to Lunatic Asylum Number three (3), located at Nevada, Missouri," was read third time and passed by the following vote:

AYES—Senators Ball, Claycomb, Downing, Harmon, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Moran, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Smith, Sparks, Webster and Wood—21.

NOES—Senators Castleman, Davisson, Gideon, McGinnis, Mackey, Parcher, Ryors and Taggart—8.

ABSENT WITH LEAVE—Senators Allen, Hunter, Mansfield, Sebree and Simrall—5.

The emergency clause was adopted by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT WITH LEAVE—Senators Allen, Hunter, Mansfield, Sebree and Simrall—5.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion was agreed to.

Senator Castleman moved to reconsider the vote by which Senate bill No. 265 was ordered engrossed and printed. The motion was agreed to.

Senator Gideon granted leave of absence until next Tuesday.

Senator Castleman moved to reconsider the vote by which amend-

ment No. 1 was adopted to Senate bill No. 265. The motion was agreed to.

Senator Castleman offered substitute for amendment No. 1, as follows:

Substitute for amendment to Senate bill No. 265:

Amend by striking out of 6th line of printed bill the words "having a population of one," and by inserting in lieu thereof the following words: "which now have, and such as may hereafter have a population of three."

The substitute was adopted.

The bill, as amended, was ordered engrossed and printed.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 276, entitled "An act to amend section 6489 of the Revised Statutes of 1879, as amended by an act of the General Assembly, approved March 31, 1883," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator Ryors, the Senate adjourned until next Monday at 2 o'clock, by the following vote:

AYES—Senators Davisson, Downing, Gideon, Johnson of Madison, Kelly, Kerwin, Ketchum, Moran, Parcher, Proctor, Ryors, Saltonstall, Sheldon and Smith—14.

NOES—Senators Ball, Castleman, Claycomb, Harmon, Hazell, Jacobs, Johnson of Montgomery, McGinnis, Mackey, Seabourn, Sparks, Taggart and Wood—13.

ABSENT WITH LEAVE—Senators Allen, Hunter, Mansfield, Sears, Sebree, Simrall and Webster—7.

THIRTY-NINTH DAY—MONDAY, February 28, 1887.

Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Senator Moran introduced Senate bill No. 337, entitled "An act to authorize county courts to assist in the formation of and support of law libraries," read first time, rules suspended and bill ordered to lie over without printing.

Senator Jacobs introduced Senate bill No. 338, entitled "An act to amend section 7037 of article 1, chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of schools,'" read first time, rules suspended and bill ordered not printed.

Senator Jacobs introduced Senate bill No. 339, entitled "An act entitled an act to amend an act entitled 'An act to amend section 1165, article 4, chapter 23 of the Revised Statutes of Missouri, entitled 'Circuit courts,'" approved March 24, 1883," which was read first time, rules suspended and the bill ordered not printed.

Senator Hazell introduced Senate bill No. 340, entitled "An act to amend section 1375 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" which was read first time, rules suspended and bill ordered not printed.

The following Senate bills were read second time and referred to committees, as follows :

Senate bill No. 335, entitled "An act amending and in revision of all acts creating a board of police commissioners, and authorizing the appointment of a permanent police force of Kansas City, approved March 27, 1874, and subsequent amendments thereto, approved February 8, 1875, March 22, 1881, and March 24, 1881," to Committee on Corporations other than Railroads and Insurance ;

Senate bill No. 336 entitled "An act entitled an act to repeal section 3199 of chapter 47, article 3 of the Revised Statutes of the State of Missouri, entitled 'Of leins of inn and boarding house keepers,'" to Committee on Judiciary ;

Senate bill No. 325, entitled "An act to authorize the county court of Wright county to relieve James A. Tate, treasurer of said county, from the payment of money stolen and belonging to said county," to Committee on Ways and Means ;

Senate bill No. 326, entitled "An act to separate the Agricultural College of this State, now a department of the State University, and to withdraw the same therefrom, and to locate it under the name and style of the 'Missouri College of Agriculture and Mechanic Arts,' as provided by an act of Congress, July 2, 1862, and to transfer with it the agricultural land fund endowment made by the general government as aforesaid, and to appropriate money therefor," to Committee on Agriculture, Roads and Highways ;

Senate bill No. 327, entitled "An act to amend section 1 of an act entitled 'An act to authorize any city containing more than twenty thousand and less than two hundred and fifty thousand inhabitants, existing by virtue of special or local laws, to extend its limits and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained, approved March 11, 1885,'" to Committee on Corporations other than Railroads and Insurance ;

Senate bill No. 329, entitled "An act to provide for the establishment of a Southwest Normal School at El Dorado Springs, in Cedar county, and to appropriate money for the establishment thereof," to Committee on University, Public and Normal School Education ;

Senate bill No. 330, entitled "An act relating to county, township or city railroad indebtedness, and the assessment of railroads and the collection of the taxes thereof," to Committee on Ways and Means.

Senate bill No. 332, entitled "An act entitled an act to amend section three of an act entitled an 'Act to amend sections 5438, 5440, 5442, 5456, 5464, and to repeal section 5462 of chapter 98, entitled 'Of dramshops,' as approved March 24, 1883,'" to Committee on Ways and Means.

Senate bill No. 333, entitled "An act to provide for service of process in proceedings relating to corporate franchises, offices, officers and and elections," to Committee on Judiciary.

Joint and concurrent resolution No. 13, submitting to the qualified voters of Missouri an amendment to the Constitution thereof, providing for the election by the qualified voters of the State of the clerk of the Supreme Court, the clerk of the St. Louis Court of Appeals, the Kansas City Court of Appeals, and any other courts of appeals which may be established, to Committee on Constitutional Amendments.

Senate bill No. 324, entitled "An act providing for the holding of two terms of the Lawrence county circuit court at the city of Peirce City in said county, and prescribing the jurisdiction thereof," to Committee on Judiciary.

Senate bill No. 331, entitled "An act to provide the method and procedure of adding additional territory to incorporated cities, towns or villages," to Committee on Corporations other than Railroads and Insurance.

The following House bills were read first time :

House bill No. 108, entitled "An act to amend section 5365 of article 4 chapter 95 of the Revised Statutes of 1879 of the State of Missouri, entitled 'County treasurers and county warrants;'"

House bill No. 397, entitled "An act to amend article 5 of chapter

89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' by adding a new section thereto, to be known as section 5003a;"

House bill No. 399, entitled "An act to amend section 2695, chapter 39, Revised Statutes, 1879, entitled 'Of homesteads,' by adding thereto;"

House bill No. 100, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for the distribution and sale thereof,' approved March 31, 1885, by inserting certain words and adding others;"

Substitute for House bill No. 25, entitled "An act concerning assessment lists, merchants' statements, bonds of road overseers, statements of road overseers, petitions for dramshop license and bonds of dramshop keepers, and authorizing the county courts of the several counties of the State to make orders for the destruction of the same;"

House bill No. 370, entitled "An act to repeal section 6196 of the Revised Statutes of the State of Missouri of 1879, relating to swamp lands, and to enact a new section in lieu thereof;"

House bill No. 378, entitled "An act to provide for detaching farming land and land not used for corporate purposes from municipal corporations containing twenty thousand inhabitants or less;"

House bill No. 339, entitled "An act to amend section four of an act entitled 'An act to amend section eight (8) of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 26, 1881,' and to add three new sections to said act, approved March 29, 1883;"

House bill No. 228, entitled "An act to amend section 3717 Revised Statutes of Missouri, as amended by section 8 of an act entitled 'An act to amend sections 3636, 3638, 3639, 3641, 3710, 3712, 3713, 3714, 3717 and 3720, chapter 59, Revised Statutes of Missouri, 'Of practice in civil cases,' approved March 28, 1885;"

House bill No. 227, entitled "An act to repeal sections 7041, 7042 and 7043, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof, to be numbered 7041, 7042 and 7043;"

House bill No. 165, entitled "An act to amend section 3562 of the Revised Statutes of the State of Missouri, 1879, chapter 59, entitled 'Of practice in civil cases;"

House bill No. 84, entitled "An act to provide for locating and erecting a State reform school for boys;"

House bill No. 164, entitled "An act to amend section 5437, chapter 98 of Revised Statutes of Missouri, 1879, entitled 'Of dramshops;"

House bill No. 64, entitled "An act to amend section 1666 of article 9 of chapter 24 of the Revised Statutes of Missouri for 1879, in relation to crimes and criminal procedure, miscellaneous provisions and matters of practice;"

House bill No. 19, entitled "An act to amend section 5652, chapter 104 of the Revised Statutes of the State of Missouri, entitled 'Of fences and inclosures,' as amended by act approved March 27; 1885 ;"

House bill No. 166, entitled "An act to repeal section 2305 of the Revised Statutes of Missouri, 1879, and to enact a new section in the place thereof, to be numbered 2305."

Senate bill No. 293 was taken up. Senator Moran offered the following amendment :

Amend section 4 of printed bill by inserting between the words "carrier" and "when," in line 15, the following sentence : "Any schedule made in pursuance of this section shall, in all suits brought against any such railroad corporation wherein is in any way involved the charges of any such railroad corporation for the transportation of any freights or cars, or unjust discrimination in relation thereto, be deemed and taken in all courts of this State as *prima facie* evidence that the rates therein made are reasonable maximum rates of charges for transportation of freights and cars upon the railroads, for which schedules have been made from and after the twentieth day following the date of service thereof, and by striking out all after the word 'thereby,' in the fortieth line of said section."

The amendment was read first and second times and agreed to.

Senator Moran offered the following amendment :

Amend section 4 of printed bill by inserting between the word "Commissioners" and the word "and," in the 38th line of said section, the following: "without further proof than the production of the schedule desired to be used as evidence, with a certificate of the Railroad Commissioners that the same is a true copy of a schedule prepared by them for the railroad company or corporation therein named."

The amendment was read first and second times and agreed to.

Senator Moran offered the following amendment :

Amend section 4 of printed bill by adding the following thereto : "*Provided, however,* that upon application in writing to the commissioners by any railroad company or by any person interested, any railroad company may, in special cases, after investigation by the Commissioners, be exempted and relieved from the operation of the provisions of this section, if, in the judgment of the Commissioners, the public interests demand such exemption, and will be furthered thereby; and whenever any such order is made, the Commissioners shall

prescribe the extent to which any designated railway company may be relieved from the operation of this section of this act."

The amendment was read first and second times and agreed to.

Senator Harmon offered the following amendment:

Insert between the words "post" and "copies," in the 29th line, the words "and keep posted."

The amendment was read first and second times and agreed to.

Senator Harmon offered the following amendment:

Amend section 13. Strike out all between the words "shall," in the 13th line, and "be," in the 15th line.

The amendment was read first and second times and agreed to.

Senator Harmon offered the following amendment:

Amend section 22. Insert "corporation" after "railroad," in the first line of section 22.

The amendment was read first and second times and agreed to.

Senator Castleman offered the following amendment:

Section 3. Amend by inserting in line 28 between the words "railroad" and "or," in printed bill, the following words: "the shorter distance being included in the greater."

The amendment was read first and second times and agreed to.

Senator Castleman offered the following amendment:

Strike out section 9 of printed bill.

The amendment was not agreed to.

Senator Moran offered the following substitute for amendment offered by Senator Castleman:

Amend section 9 of printed bill by striking out all after the word "shall," in the 9th line of said section, and insert in lieu thereof the following: "be punished by imprisonment in the county jail for a period of not more than six months, or by a fine of not more than \$500, or by both such fine and imprisonment."

The amendment was read first and second times and agreed to.

Senator Parcher offered the following amendment to the substitute offered by Senator Moran:

Amend the substitute for amendment by inserting in lieu of "\$500," "\$1,000, and for each subsequent offense, \$2,000."

The amendment was not agreed to.

Senator Ball offered the following amendment:

Amend section 3 by striking out all between the word "railroad," in line 35, and "all" in line 49.

The amendment was read first and second times and agreed to by the following vote:

AYES—Senators Ball, Davisson, Downing, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Moran, Ryors, Smith and Webster—12.

NOES—Senators Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Parcher, Saltonstall, Sheldon, Sparks, Taggart and Wood—11.

ABSENT WITH LEAVE—Senators Allen, Gideon, Hunter, Johnson of Madison, Mackey, Mansfield, Proctor, Seabourn, Sears, Sebree and Simrall—11.

Senator Ryors offered the following amendment :

Section 25*a*. There shall be added to the present Railroad Commissioners two Republicans, who shall be appointed by the Governor, and shall have the same power, pay and emoluments now given to the present Railroad Commissioners, and who shall hold their office until the 1st day of January, 1889.

The amendment was read first and second times and not agreed to by the following vote :

AYES—Senators Davisson, Jacobs, McGinnis, Parcher, Ryors, Sheldon and Webster—7.

NOES—Senators Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Johnson of Montgomery, Kerwin, Ketchum, Moran, Saltonstall, Smith, Sparks, Taggart and Wood—15.

ABSENT—Senator Kelly.

ABSENT WITH LEAVE—Senators Allen, Gideon, Hunter, Johnson of Madison, Mackey, Mansfield, Proctor, Seabourn, Sears, Sebree and Simrall—11.

Senator Downing offered the following amendment :

Amend section 18 by striking out all after the word "case," in 19th line.

The amendment was not agreed to.

Senator Ryors offered the following amendment :

Add to section 17, printed bill, the following words : "And shall also be liable to an indictment, and upon conviction shall be punished by a fine of not less than one thousand dollars and imprisonment in the county jail not less than one year."

Senator Castleman offered the following amendment to the amendment offered by Senator Ryors :

Strike out "and," in the fifth line, and insert in lieu thereof the word "or."

The amendment was read first and second times and agreed to.

Senator Ryors offered the following amendment to the amendment offered by Senator Ryors, as amended :

Add to the amendment, as amended, the following : "or by both such fine and imprisonment."

The amendment was not agreed to by the following vote :

AYES—Senators Ball, Davisson, Hazel, Jacobs, Kelly, Ketchum, McGinnis, Ryors, Sheldon and Smith—10.

NOES—Senators Castleman, Claycomb, Downing, Johnson of Montgomery, Kerwin, Moran, Parcher, Saltonstall, Sparks, Taggart, Webster and Wood—12.

ABSENT—Senator Harmon.

ABSENT WITH LEAVE—Senators Allen, Gideon, Hunter, Johnson of Madison, Mackey, Mansfield, Proctor, Seabourn, Sears, Sebree and Simrall—11.

The question recurring on the amendment offered by Senator Ryors, as amended, it was not agreed to by the following vote:

AYES—Senators Hazell, Kelly, Ketchum, McGinnis, Ryors, Sheldon, Smith and Webster—8.

NOES—Senators Ball, Castleman, Claycomb, Downing, Harmon, Jacobs, Johnson of Montgomery, Kerwin, Moran, Parcher, Saltonstall Sparks, Taggart and Wood—14.

ABSENT—Senator Davisson.

ABSENT WITH LEAVE—Senators Allen, Gideon, Hunter, Johnson of Madison, Mackey, Mansfield, Proctor, Seabourn, Sears, Sebree and Simrall—11.

Senator Harmon moved that Senate bill No. 293, as amended, be engrossed and printed. The motion was agreed to by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Moran, Parcher, Saltonstall, Sheldon, Smith, Sparks, Taggart and Wood—19.

NOES—Senators Davisson, McGinnis and Ryors—3.

ABSENT—Senator Webster.

ABSENT WITH LEAVE—Senators Allen, Gideon, Hunter, Johnson of Madison, Mackey, Mansfield, Proctor, Seabourn, Sears, Sebree and Simrall—11.

Senator Harmon moved that the printing of Senate bill No. 293 take precedence of all other printing. The motion was agreed to by the following vote:

AYES—Senators Castleman, Claycomb, Downing, Harmon, Hazell, Jacobs, Johnson of Montgomery, Moran, Parcher, Saltonstall, Smith, Sparks, Taggart, Webster and Wood—15.

NOES—Senators Ball, Davisson, Kelly, Kerwin, Ketchum, McGinnis, Ryors and Sheldon—8.

ABSENT WITH LEAVE—Senators Allen, Gideon, Hunter, Johnson of Madison, Mackey, Mansfield, Proctor, Seabourn, Sears, Sebree and Simrall—11.

Senator Ball submitted the following reports from the Committee on Engrossed Bills, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 284, entitled "An act concerning mutual saving societies," beg leave to report that they have compared the same and find it to be truly engrossed and that the copies thereof printed for information and furnished to the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 244, entitled "An act to amend section 3310 of the Revised Statutes of Missouri, 1879;,"

Also, Senate bill No. 272, entitled "An act to amend section 29 of an act entitled 'An act to repeal section 7489; also, sections 7490 and 7491, as amended by an act entitled 'An act to amend section 7446, article 4; sections 7455, 7457, article 5; section 7470, article 7; section 7485, article 9; sections 7490 and 7491, article 11; sections 7535 and 7538, article 13, all in chapter 162 of the Revised Statutes of Missouri, relating to township organization,' approved March 17, 1881;,' also, sections 7492, 7493, 7494; also, section 7495, as amended by an act entitled 'An act to amend section 7495, article 11, chapter 162, Revised Statutes of Missouri, entitled 'Of township organization, relating to roads and highways,' approved March 26, 1881; also, sections 7496, 7497, 7498, 7499, 7500, 7501, 7502, 7503, 7504, 7505, 7506, 7507, 7508, 7509, 7510, 7511, 7512, 7513; also, section 7514, as amended by an act entitled 'An act to amend section 7514, article 11 of chapter 162 of Revised Statutes of the State of Missouri, relating to roads and highways under township organization,' approved March 26, 1881; also, sections 7515, 7516, 7517, 7518, 7519, 7520, 7521 and 7522, all of article 11, chapter 162 of the Revised Statutes of Missouri, and relating to roads, highways and bridges under township organization, and enacting new sections in lieu thereof,' approved March 29, 1883;,"

Also, Senate bill No. 253, entitled "An act to provide for placing the statues of Thomas H. Benton and Francis P. Blair, Jr., in the National Hall of Statuary at Washington;,"

Also, Senate bill No. 233, entitled "An act to authorize county clerks to practice as attorneys and counselors at law;,"

Senate bill No. 281, entitled "An act to amend section 482 of chapter 7 of the Revised Statutes of Missouri, entitled 'Of attorneys at law;,'"

Also, Senate bill No. 92, entitled "An act to amend section 2 of an act entitled 'An act to regulate sales of real estate under mortgages and deeds of trust, and the manner of giving notice thereof,' approved March 27, 1885;,"

Also, Senate bill No. 58, entitled "An act to establish the thirtieth

judicial circuit, and to provide for the appointment of a circuit judge therefor, and to fix the times of holding court therein ; ”

Also, Senate bill No. 274, entitled “An act to amend chapter 104, Revised Statutes of Missouri, 1879, entitled ‘Of fences and inclosures,’ by adding a new section thereto, to be known as section 5671a ; ”

Also, Senate bill No. 270, entitled “An act to amend an act entitled ‘An act to repeal section 7125, article 1, chapter 150 of the Revised Statutes of Missouri, 1879, entitled ‘Of schools,’ and to insert in lieu thereof a new section,” beg leave to report that they have compared the same, and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 334, entitled “An act defining the jurisdiction of the St. Louis Court of Appeals, the Kansas City Court of Appeals, and such other courts of appeals as may hereafter be established by the General Assembly of the State of Missouri,” beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 255, entitled “An act to amend section 1036 of article 1 of chapter 23 of the Revised Statutes of Missouri, entitled ‘General powers and duties of courts,’ ” beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Wood submitted the following report from the Committee on University, Public and Normal School Education, which was read :

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 170, entitled “An act to repeal sections 7081, 7082, 7084, 7085 and 7086, article 1, chapter 150 of the Revised Statutes of the State of Missouri, ‘Of schools ; ’ also, to repeal an act entitled ‘An act to amend section 7082, article 1, chapter 150 of the Revised Statutes of the State of Missouri, entitled ‘Of schools,’ approved April 2, 1883, and to enact six new sections in lieu thereof, relating to the election duties and compensation of a county superintendent of public schools,” beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Jacobs offered the following amendment to Senate bill No. 170, which was read first and second times and agreed to :

Amendment No. 1. Amend section No. 1 of Senate bill No. 170, by striking out the words “to each county clerk,” in line 147, and by inserting in lieu thereof the following: “of county superintendents with the salary of each to the State Auditor.”

Senator Jacobs offered the following amendment to Senate bill No. 170, which was read first and second times and agreed to:

Amendment No. 2. Amend section 1 of Senate bill No. 170 by striking out all of said section after the word "clerk," in line No. 151, and inserting in lieu thereof the following: "on the first day of July, October, January and April of each year, the State Auditor shall draw a warrant in favor of each of said county superintendents for one-fourth of his annual salary, to be paid out of any money in the State treasury appropriated for that purpose."

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 158, entitled "An act to promote the payment of taxes," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Ball, Senate bill No. 158 was indefinitely postponed.

The following Senate bills were ordered engrossed and printed:

Senate bill No. 279, entitled "An act to amend section 832 of chapter 21 of the Revised Statutes of 1879, entitled 'Railroad classification—charges—commissioners;'"

Senate bill No. 307, entitled "An act to amend article 8 of chapter 145 of the Revised Statutes of Missouri, relating to the assessment and taxation of railroads, by adding a new section thereto, to be known as section 6871a;"

Senate bill No. 62, entitled "An act to repeal section 6334, chapter 129 of the Revised Statutes of Missouri of 1879, entitled 'Of merchants' licenses,' and to enact a new section in lieu thereof."

Senate bill No. 295, entitled "An act to amend section 5436 of chapter 98, Revised Statutes, 1879, entitled 'Of dramshops,' and to repeal section 5442 of said chapter, as amended by an act entitled 'An act to amend sections 5438, 5440, 5441, 5442, 5456, 5464, to repeal section 5462 of chapter 98, and adding three new sections thereto, entitled 'Of dramshops,' approved March 24, 1883, and enact a new section in lieu thereof, to be known as section 5442, and add two new sections."

Senate bill No. 309 was taken up.

Senator Saltonstall offered the following amendment, which was read first and second times and agreed to:

Amend section one of printed bill by striking out the word "or," in the first line, and by striking out the words "attempt to intimidate," in the second line; and by striking out in the third and fourth lines the following consecutive words, to wit: "Railroad, manufactur-

ing or other corporation, or", and inserting after the word "individual," in the fourth line, the words "firm, company or corporation."

Senator Saltonstall offered the following amendment, which was not agreed to:

Amend section two of printed bill by striking out all that part of second section beginning with the word "railroad," at end of fourth line, and including the remainder of the section and inserting in lieu thereof these words: "Individual, firm, company or corporation, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail not less than thirty days and not more than twelve months, or by fine of not less than one hundred dollars nor more than \$1,000."

Senate bill No. 309, entitled "An act to prevent the intimidation of laborers within the State of Missouri, and to provide a penalty for the violation of this act," as amended, was ordered engrossed and printed.

The following Senate bills were ordered engrossed and printed:

Senate bill No. 259, entitled "An act to amend sections one and two and to repeal section seven of an act to provide for the ascertainment of and payment for damages done by municipal corporations to private property for public use, as directed by section 21 of article 2 of the State Constitution, entitled 'Cities, towns and villages—damages to private property for public use;'"

Senate bill No. 170, entitled "An act to repeal sections 7081, 7083, 7084, 7085 and 7086, article I, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools;,' also, to repeal an act entitled 'An act to amend section 7082, article 1, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools,' approved April 2, 1883,' and to enact the following sections in lieu thereof, to be numbered 7081, 7082, 7083, 7084, 7085 and 7086, relating to the election, duties and compensation of a county superintendent of public schools;'"

Substitute for Senate bill No. 11, entitled "An act to prohibit the employment of children in mills, mines, factories or workshops in this State under the age of fourteen years;'"

Also, Senate bill No. 301, entitled "An act to amend chapter 167, Revised Statutes of Missouri of 1879, entitled 'Of weights and measures,' by adding a new section thereto, to be designated as section 7668a;'"

Also, Senate bill No. 220, entitled "An act to repeal section 7162 of Article III., chapter 150, Revised Statutes of 1879, entitled 'Of schools,' and to insert a new section in lieu thereof, to be numbered 7162;'"

Also, Senate bill No. 222, entitled "An act to regulate the course of study in the public schools."

The following pending resolution, offered by Senator Downing, was taken up :

Resolved, That the time of meeting of the Senate during the remainder of the session, unless otherwise ordered by the Senate, shall be nine o'clock in the forenoon and two o'clock in the afternoon.

Senator Sparks offered the following amendment, which was read and agreed to :

Amend resolution by striking out the word "nine" and inserting "half past nine."

The resolution, as amended, was adopted.

Senator Sheldon moved to reconsider the vote by which Senate bill No. 309 was ordered engrossed and printed, which was agreed to.

Senator Sheldon offered the following amendment to the bill, which was read first and second times and agreed to :

Amend section two of printed bill by striking out the words "or attempt to prevent" in the second and third lines of said section.

Senator McGinnis moved to reconsider the vote by which the amendment offered by Senator Saltonstall to Senate bill No. 309 was defeated. The motion was agreed to.

The amendment was again read and agreed to.

The bill, as amended, was ordered engrossed and printed.

Senator Ball submitted the following reports from the Committee on Ways and Means, which were read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 332, entitled "An act entitled an act to amend section three of an act entitled 'An act to amend sections 5438, 5440, 5442, 5456, 5464, and to repeal section 5462 of chapter 98, entitled 'Of dramshops,' as approved March 24, 1883," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 330, entitled "An act relating to county, township or city railroad indebtedness, and the assessment of railroads and the collection of the taxes thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Ball moved that the rules be suspended, and that Senate bills Nos. 330 and 332, reported above, be engrossed and printed. The motion was agreed to.

On motion of Senator Saltonstall, Senate bill No. 114, entitled "An

act to reduce the compensation of members of the General Assembly to the requirements of the Constitution by amending section 6237 of chapter 124 of the Revised Statutes of 1879," was referred to Committee on Judiciary.

On motion of Senator Downing, the Senate adjourned until tomorrow morning at 9:30 o'clock.

FORTIETH DAY—TUESDAY, March 1, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Downing presented a petition from the Evangelical Alliance of St. Louis, asking the repeal of the St. Louis Sunday law, which was referred to the Committee on Criminal Jurisprudence.

Senator Allen introduced Senate bill No. 341, entitled "A bill as to terms of probate court in more than one place in certain counties, and as to appointment of clerks for the probate court in any county where terms of the probate courts may be held in more than one place in such county," which was read first time, rules suspended and bill ordered not printed.

Senator Allen introduced Senate bill No. 342, entitled "A bill respecting married women," which was read first time, rules suspended and bill ordered not printed.

Senator Castleman introduced Senate bill No. 343, entitled "An act concerning mutual savings fund, loan and building associations," which was read first time and 75 copies ordered printed.

Senator Castleman introduced Senate bill No. 344, entitled "An act to amend section 2180, chapter 28, Revised Statutes of Missouri, the

chapter entitled 'Of divorce, alimony and custody of children,' which was read first time and 75 copies ordered printed.

Senator Harmon offered the following resolution, which was read :

Resolved, It is the sense of the Senate, that the following words should be stricken from section 4 of Senate bill No. 293, to wit: "*Provided, however*, that upon application in writing to the Commissioners by any railroad company, or by any person interested, any railroad company may in special cases after investigation by the Commissioners be exempted and relieved from the operation of the provisions of this section, if in the judgment of the Commissioners the public interests demand such exemption and will be furthered thereby, and whenever any such order is made, the commissioners shall prescribe the extent to which any designated railway company may be relieved from the operation of this section of this act."

The resolution was not adopted by the following vote:

AYES—Senators Harmon, Hazell, Parcher, Saltonstall, Seabourn, Sheldon, Simrall, Sparks and Taggart—9.

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Seabee, Smith, Webster and Wood—21.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mausfield and Sears—4.

The following Senate bills were read second time and referred to committees, as follows :

Senate bill No. 337, entitled "An act to authorize county courts to assist in the formation and support of law libraries," to Committee on Judiciary ;

Senate bill No. 338, entitled "An act to amend section 7037 of article 1, chapter 150, Revised Statutes of the State of Missouri of 1879, entitled, 'Of schools,'" to Committee on University, Public and Normal School Education ;

Senate bill No. 339, entitled "An act to amend an act entitled 'An act to amend section 1155, article 4, chapter 23 of the Revised Statutes of Missouri, 'Circuit courts,' approved March 24, 1883," to Committee on Criminal Jurisprudence ;

Senate bill No. 340, entitled "An act to amend section 1375 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" to Committee on Criminal Jurisprudence.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 334, entitled 'An act defining the jurisdiction of the St. Louis Court of Appeals, the Kansas City Court of Appeals, and

such other courts of appeals as may hereafter be established by the General Assembly of the State of Missouri ;”

Senate bill No. 255, entitled “An act entitled ‘An act to amend section 1036 of article 1, chapter 23 of the Revised Statutes of Missouri, entitled ‘General powers and duties of courts;’”

The following House amendment to Senate bill No. 1 was taken up:

Amend Senate bill No. 1 by adding after the word “population,” in line two, section fourteen, the following words, to wit: “with a view solely to placing itself under the provisions of this act.”

The amendment was concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Sears—4.

The following House amendment to Senate bill No. 1 was taken up:

Amend Senate bill No. 1 by adding after the word “village,” in twenty-first line of section 41, printed bill, the following: “*Provided, further,* that before such city shall extend its limits so as to include any incorporated city, town or village, four-sevenths of the qualified voters of the incorporated city, town or village voting at such election so desired to be included within the limits of such city, shall vote in favor of such proposition at an election held for that purpose, to be determined in the following manner, to wit: Whenever such city shall desire to include within its limits any incorporated city, town or village, the mayor of such city shall inform the mayor or other chief officer of the incorporated city, town or village proposed to be so taken in, of its intention to include said city, town or village within the limits; the mayor thereof shall order a special election to determine the wish of said city, town or village, giving twenty days’ public notice of the time and places of holding such election, and the purposes for which it is to be held; said election to be governed by the general laws governing said city, town or village, in respect to the holding of general elections, and if four-sevenths of the qualified voters voting at such election shall vote in favor of the proposed extension, the mayor thereof shall certify the result to the mayor of such city, and such city may proceed to so extend its limits as provided in this section.”

The amendment was concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery,

Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Sears—4.

Senator Ryors reported sick.

The following House bills were read second time and referred to committees, as follows:

House bill No. 19, entitled "An act to amend section 5652, chapter 104 of the Revised Statutes of the State of Missouri, entitled 'Of fences and inclosures,' as amended by an act approved March 27, 1885," to Committee on Agriculture, Roads and Highways;

House bill No. 64, entitled "An act to amend section 1666 of article 9 of chapter 24 of the Revised Statutes of Missouri for 1879, in relation to crimes and criminal procedure, miscellaneous provisions and matters of practice," to Committee on Criminal Jurisprudence;

House bill No. 84, entitled "An act to provide for locating and erecting a State reform school for boys," to Committee on Criminal Jurisprudence;

Substitute for House bill No. 100, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885, by inserting certain words and adding others," to Committee on Judiciary;

House bill No. 103, entitled "An act to amend section 5365 of article four, chapter 95 of the Revised Statutes of 1879 of the State of Missouri, entitled 'County treasurers and county warrants,' to Committee on Judiciary;

House bill No. 164, entitled "An act to amend section 5437, chapter 98 of Revised Statutes of Missouri, 1879, entitled 'Of dramshops,' to Committee on Criminal Jurisprudence;

House bill No. 165, entitled "An act to amend section 3562 of the Revised Statutes of the State of Missouri, 1879, chapter 59, entitled 'Of practice in civil cases,' to Committee on Judiciary;

House bill No. 166, entitled "An act to repeal section 2305 of the Revised Statutes of Missouri, 1879, and to enact a section in the place thereof, to be numbered 2305," to Committee on Judiciary;

House bill No. 227, entitled "An act to repeal sections 7041, 7042 and 7043, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof, to be numbered 7041, 7042 and 7043, to Committee on University, Public and Normal School Education;

House bill No. 228, entitled "An act to amend section 3717 Revised Statutes of Missouri, as amended by section 8 of an act entitled 'An act to amend sections 3636, 3638, 3639, 3641, 3710, 3712, 3713, 3714, 3717 and 3720, chapter 59, Revised Statutes of Missouri, 'Of practice in civil cases,' approved March 28, 1885," to Committee on Judiciary;

House bill No. 251, entitled "An act concerning assessment lists, merchants' statements, bonds of road overseers, statements of road overseers, petitions for dramshop license and bonds of dramshop keepers, and authorizing the county courts of the several counties of the State to make orders for the destruction of the same," to Committee on Ways and Means;

House bill No. 339, entitled "An act to amend section 4 of an act entitled 'An act to amend section eight (8) of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 26, 1881, and to add three new sections to said act, approved March 29, 1883,'" to Committee on Criminal Jurisprudence;

House bill No. 370, entitled "An act to repeal section 6196 of the Revised Statutes of the State of Missouri of 1879, relating to swamp lands, and to enact a new section in lieu thereof," to Committee on State and Swamp Lands;

House bill No. 378, entitled "An act to provide for detaching farming land and land not used for corporate purposes from municipal corporations containing twenty thousand inhabitants or less," to Committee on Judiciary;

House bill No. 397, entitled "An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' by adding a new section thereto, to be known as section 5003a," to Committee on Corporations other than Railroads and Insurance;

House bill No. 399, entitled "An act to amend section 2695, chapter 39, Revised Statutes, 1879, entitled 'Of homesteads,' by adding thereto," to Committee on Judiciary.

Senate bill No. 248, entitled "An act to amend section 237, chapter I, article 10 of the Revised Statutes of Missouri, entitled 'Administration—annual and final settlements,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Smith, Sparks, Taggart and Webster—24.

NOES—Senators Claycomb, Simrall and Wood—3.

ABSENT—Senators Hunter and Parcher—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Sears—4.

SICK—Senator Ryors.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Ball offered the following resolution, which was read and adopted :

WHEREAS, There are a large number of Senate bills in the House and a large number of House bills in the Senaté; therefore, be it

Resolved, That the Senate shall take up and consider every alternate day the House bills, and that the House shall every alternate day take up and consider Senate bills until the end of the session.

The House is respectfully requested to agree and consent to this resolution, and that this shall be the standing order of business until the end of this session.

Senate bill No. 23, entitled "An act to authorize the board of public improvements of any city in this State, to audit and allow claims against such city for work done and materials furnished on any street or highway under a contract with such city," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senators Kelly and Parcher—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Sears—4.

SICK—Senator Ryors.

Senator McGinnis offered the following amendment to the title which was agreed to :

"An to provide for the payment of such claims."

The title, as amended, was read and adopted.

Senator McGinnis moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Wood moved to take up House bills for third reading.

Senator Johnson moved to amend by inserting at 2 o'clock this afternoon. The motion was not agreed to.

Senate bill No. 47, entitled "An act to enable cities and towns operating under special charters, and containing ten thousand inhabitants or less, to cause the owners of property and lots to build and repair sidewalks, and enforce the same as a lien on the property, and to provide, by ordinance, for the appointment of constable and street and sidewalk commissioner," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—25.

NOES—Senators Castleman and Harmon—2.

ABSENT—Senators Downing and Kerwin—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Sears—4.

SICK—Senator Ryors.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following communication was received from the Governor through his Private Secretary, Mr. Yantis, which was read:

CITY OF JEFFERSON, March 1, 1887.

SIR: I have the honor to return to the Senate, with my approval endorsed thereon, joint and concurrent resolution No. 6, of the following title: "Joint and concurrent resolution authorizing and instructing the committee appointed by the Governor to settle with the Auditor and Treasurer, to cancel, vouchers, destroy warrants and enter settlement on the books of the Auditor and Treasurer."

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

Senate bill No. 68, entitled "An act entitled an act for the organization of the State military forces, and appropriating money for the same," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Proctor, Saltonstall, Simrall, Smith, Sparks, Webster and Wood—20.

NOES—Senators Davisson, Hazell, McGinnis, Moran, Parcher, Seabourn, Sebree, Sheldon and Taggart—9.

ABSENT WITH LEAVE--Senators Gideon, Johnson of Madison, Mansfield and Sears—4.

SICK—Senator Ryors.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Proctor, Saltonstall, Seabourn, Simrall, Smith, Sparks, Taggart, Webster and Wood—23.

NOES—Senators Davisson, McGinnis, Moran, Parcher, Sebree and Sheldon—6.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Sears—4.

SICK—Senator Ryors.

The title was read and agreed to.

Senator Sparks moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 90, entitled "An act to provide for the refunding and payment of the State debt, and to repeal chapter 153 and sections 7551, 7552, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633, 7634 and 7635 of article 1 of chapter 164 of the Revised Statutes of Missouri," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

NOES—Senators Hazell and McGinnis—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield, Ryors and Sears—5.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

NO—Senator McGinnis.

ABSENT—Senator Ketchum.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Sears—4.

SICK—Senator Ryors.

The title was read and agreed to.

Senator Hunter moved to reconsider the vote by which the bill

passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 136, entitled "An act entitled an act to establish the office of circuit attorney in the various judicial circuits of the State, and to provide for the election of such officers at the general election in 1888, and to prescribe their duties as such," was read third time and failed to pass by the following vote:

AYES—Senators Ball, Davisson, Hazell, Ketchum, Saltonstall, Sebree, Sheldon and Smith—8.

NOES—Senators Allen, Castleman, Claycomb, Downing, Harmon, Hunter, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Moran, Parcher, Proctor, Seabourn, Simrall, Sparks, Taggart, Webster and Wood—20.

ABSENT—Senators Kelly and Ryors—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Sears—4.

Senator Downing offered the following resolution, which was read:

Resolved, That during the remainder of the session no Senator shall be permitted to speak longer than five minutes on any proposition without unanimous consent of the Senate.

On motion of Senator Harmon, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Downing called up the resolution offered by him this morning, in regard to time allowed for speaking, allowing only five minutes to any Senator on any bill.

Senator Wood offered the following as a substitute for the resolution:

Resolved, That during the remainder of the session no Senator shall speak more than once, nor more than five minutes, on any question except by unanimous consent of the Senate, except that the author of a Senate bill, or manager of House bills in the Senate may be allowed to open and close the debate on such bills.

Senator Jacobs offered the following amendment to the substitute, which was read:

Provided, that any Senator may be allowed to yield his five minutes of time to another Senator who has the floor.

Senator Castleman moved to lay the amendment on the table. The motion was lost.

The question recurring on the amendment, it was agreed to.

The question recurring on the substitute, as amended, Senator Castleman moved to lay on the table. The motion was agreed to.

Senator Downing moved to reconsider the vote by which Senate bill No. 293 was ordered engrossed and printed.

Senator Wood moved the previous question, which was agreed to.

The question recurring on the motion to reconsider, it was declared lost.

Senate bill No. 139, entitled "An act to provide for the drainage of lead and zinc mines, and to regulate the liability of the owners of mineral-bearing lands and the lessees thereof, who are benefitted by drainage," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Sears, Seabee, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Davisson, Kerwin and Seabourn—3.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

The title was read and agreed to.

Senator Claycomb moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Leave of absence was granted Senator Seabourn.

Senator Davisson was reported sick.

Senate bill No. 51, entitled "An act to amend section one thousand three hundred and eight, article three, chapter twenty-four of the Revised Statutes of Missouri for the year one thousand eight hundred and seventy-nine, concerning the punishment for grand larceny," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, McGinnis, Mackey, Moran, Proctor, Saltonstall, Seabourn, Sears, Seabee, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—24.

NOES—Senators Jacobs, Kelly, Ketchum and Ryors—4.

ABSENT—Senators Kerwin and Parcher—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

SICK—Senator Davisson.

The title was read and agreed to.

Senator Simrall moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 69, entitled an act to establish a uniform system of text-books to be used in the common schools of Missouri, and to repeal sections 7087, 7088 and 7089 of the Revised Statutes of Missouri of 1879," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Ball, Downing, Hazell, Hunter, Jacobs, Johnson of Montgomery, McGinnis, Proctor, Ryors, Seabourn, Sebree, Sheldon, Smith, Taggart, Webster and Wood—17.

NOES—Senators Castleman, Claycomb, Harmon, Ketchum, Mackey, Moran, Parcher, Saltonstall, Sears, Simrall and Sparks—11.

ABSENT—Senators Kelley and Kerwin—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

SICK—Senator Davisson.

Senate bill No. 155, entitled "An act to amend section 46 of an act entitled 'Roads, highways and bridges under township organization,' approved March 29, 1883," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Kelly and Kerwin—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

SICK—Senator Davisson.

The title was read and agreed to.

Senator Sparks moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 162, entitled "An act to repeal section 5018, article 6, chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact four new sections in lieu thereof, to be known and designated sections 5018, 5018*a*, 5018*b* and 5018*c*," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Kelly and Kerwin—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

SICK—Senator Davisson.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Ketchum, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—25.

NOES—Senators McGinnis and Ryors—2.

ABSENT—Senators Kelly, Kerwin and Mackey—3.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

SICK—Senator Davisson.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 163, entitled "An act to repeal section 5019, article 6, chapter 89 of the Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact seventeen new sections in lieu thereof, to be known and designated as sections 5019, 5019*a*, 5019*b*, 5019*c*, 5019*d*, 5019*e*, 5019*f*, 5019*g*, 5019*h*, 5019*i*, 5019*j*, 5019*k*, 5019*l*, 5019*m*, 5019*n*, 5019*o*, 5019*p*," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—23.

ABSENT—Senators Kelly and Kerwin—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

SICK—Senator Davisson.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Ketchum, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—25.

NOES—Senators McGinnis, Ryors and Simrall—3.

ABSENT—Senators Kelly and Kerwin—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

SICK—Senator Davisson.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 131, entitled "An act to amend section 4940, article 5, chapter 89, Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

NO—Senator Claycomb.

ABSENT—Senators Kelly, Kerwin and Parcher—3.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

SICK—Senator Davisson.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senator Wood appealed from the decision of the Chair, deciding that a motion to reconsider the vote by which Senate bill No. 293 went to engrossment, the motion to reconsider having once been made and defeated, could not be entertained.

The decision of the Chair, that the motion could not be entertained, was sustained.

Senate bill No. 276, entitled "An act to amend section 6489 of the Revised Statutes of 1879, as amended by an act of the General Assembly, approved March 31, 1883," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Downing, Hazell, Hunter, Jacobs, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Webster and Wood—23.

NOES—Senators Castleman, Harmon, Johnson of Montgomery, Smith and Taggart—5.

ABSENT—Senators Kelly and Parcher—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

SICK—Senator Davisson.

The title was read and agreed to.

Senator Ketchum moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 177, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Downing, Hunter, Jacobs, Kerwin, Ketchum, McGinnis, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Webster and Wood—19.

NOES—Senators Castleman, Harmon, Hazell, Johnson of Montgomery, Mackey, Moran, Parcher, Saltonstall, Sparks and Taggart—10.

ABSENT—Senator Kelly.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison and Mansfield—3.

SICK—Senator Davisson.

The title was read and agreed to.

Senator Proctor moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion was lost.

Senator Proctor withdrew the motion to reconsider.

Senator Sears moved to reconsider the vote by which Senate bill No. 177 passed.

Senator McGinnis moved to lay that motion on the table. The motion prevailed.

Senate bill No. 178, entitled "An act to authorize county courts to provide for the payment and to pay for bridges, court houses, jails or other public buildings erected or repaired, or for improvements thereon in certain cases," was read third time and passed by the following vote:

AYES—Senators Allen, Downing, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Seabourn, Sebree, Sheldon, Taggart and Wood—18.

NOES—Senators Ball, Castleman, Claycomb, Harmon, Ryors, Saltonstall, Sears, Simrall, Smith and Sparks—10.

ABSENT—Senators Kelly and Webster—2.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The emergency clause failed to pass by the following vote:

AYES—Senators Allen, Downing, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, Moran, Parcher, Proctor, Seabourn, Sebree, Sheldon and Taggart—14.

NOES—Senators Ball, Castleman, Claycomb, Harmon, Hazell, McGinnis, Mackey, Saltonstall, Sears, Simrall, Smith, Sparks and Wood—13.

ABSENT—Senators Kelly and Webster—2.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The title was read and agreed to.

Senator Moran moved to reconsider the vote by which Senate bill No. 178 passed, and to lay that motion on the table. The latter motion prevailed.

Senator Parcher submitted the following report from the Committee on Township Organization, Representative Apportionment and County Boundaries, which was read:

MR. PRESIDENT: Your Committee on Township Organization, to whom was referred House bill No. 222, entitled "An act to amend sections 6671 and 6673, Revised Statutes of Missouri, defining the duty of county boards of equalization and making sheriff member of in counties having township organization," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred substitute for Senate bill No. 249, entitled "An act to amend section 1259, article 2 of chapter 24 of the Revised Statutes, 1879 of the State of Missouri ;"

Also, substitute for Senate bills Nos. 108, 127 and 128, entitled "An act relating to husband and wife, and defining their civil rights and liabilities:"

Also, Senate joint and concurrent resolution No. 5, "Joint and concurrent resolution requesting our Senators and Representatives in Congress to vote for and use all honorable means to procure the passage of the Miller bill, that has for its object the extirpation of the dread disease, pleuro-pneumonia ;"

Also, Senate bill No. 257, entitled "An act relating to the assignment and satisfaction of mortgages and deeds of trust ;"

Also, Senate bill No. 239, entitled "An act providing for the holding of two terms of the Montgomery circuit court at the City of Montgomery in said county, and prescribing the jurisdiction thereof ;"

Also, Senate bill No. 241, entitled "An act to establish and require the holding of two of the four terms of the probate court of Montgomery county, required by law to be held at the City of Montgomery, with like powers and jurisdiction co-extensive with said county, as pertain to similar courts of record in this State, and for the establishment of a probate office and clerk at said City of Montgomery ;"

Also, Senate bill No. 290, entitled "An act to prevent any person or persons from coming into this State, whether operating under the head of a detective force or agency or not, without a requisition, and to arrest,

detain or imprison any person without legal authority, and to prevent corporations from employing a detective or armed force from guarding corporate property, unless such force is under the immediate control of the sheriff or other officer authorized to make arrests and protect such property ; ”

Also, Senate bill No. 185, entitled “An act to ascertain the population of any county in this State, and to adjust the salaries of certain officers ; ”

Also, Senate bill No. 268, entitled “An act relating to stenographers for certain courts, and regulating the fees for their service ; ”

Also, Senate bill No. 217, entitled “An act to repeal section 2953, article 6, chapter 44 of the Revised Statutes of Missouri, 1879, as amended by an act entitled ‘An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled ‘Of justices courts,’ approved March 24, 1885,” and to enact a new section in lieu thereof, to be known as section 2953 ; ”

Also, Senate bill No. 181, entitled “An act to amend section 3833 of chapter 62 of the Revised Statutes of the State of Missouri, entitled ‘Of recorders of deeds ; ’ ”

Also, Senate bill No. 252, entitled “An act to amend section 5415 of chapter 96 of the Revised Statutes of the State of Missouri, entitled ‘Of ditches and drains,’ ” beg leave to report that they have carefully compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator McGinnis, the Senate adjourned until to morrow morning at 9:30 o’clock.

FORTY-FIRST DAY—WEDNESDAY, March 2, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Allen submitted the following reports from the Committee on Corporations other than Railroads and Insurance, which were read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 397, entitled "An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' by adding a new section thereto, to be known as section 5003a," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 7, entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 335, entitled "An act amending and in revision of all acts creating a board of police commissioners, and authorizing the appointment of a permanent police force of the City of Kansas, approved March 27, 1874, and subsequent amendments thereto, approved February, 8, 1875, March 22, 1881, and March 24, 1881," beg leave to report that they have carefully examined the same and recommend that it do pass.

On Senate bill No. 335, the rules were suspended and the bill ordered engrossed and printed, on motion of Senator Allen, at private expense.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 315, entitled "An act to prevent any clerk of any court, or any officer of any court, from buying fees," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 153, entitled "An act to create a lien on railroad companies and to provide for the enforcement of the same," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment:

Amendment to Senate bill No. 153: Amend by striking out section three.

The amendment was read first and second times and agreed to.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 399, entitled "An act to amend section 2695, chapter 39, Revised Statutes, 1879, entitled 'Of homesteads,' by adding thereto," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 337, entitled "An act to authorize county courts to assist in the formation and support of law libraries," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 316, entitled "An act to provide for the *per diem* compensation of the Speaker of the House of Representatives as such," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 311, entitled "An act to provide for the election or appointment of sheriffs in any county whenever any vacancy may occur nine months prior to the holding of a general election," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 300, entitled "An act to amend section 5560 of chapter 101 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of elections,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 287, entitled "An act to amend sections 1 and 7 of chapter 10 of the appendix to the Revised Statutes of Missouri, entitled 'Concerning primary elections,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senate bill No. 287 was indefinitely postponed, on motion of Senator Seabee.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 285, entitled "An act to abolish private seals in this State," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 165, entitled "An act to amend section 3562 of the

Revised Statutes of the State of Missouri, 1879, chapter 59, entitled 'Of practice in civil cases,' beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 100, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for the distribution and sale thereof,' approved March 31, 1885, by inserting certain words and adding others," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 228, entitled "An act to amend section 3717, Revised Statutes of Missouri, as amended by section 8 of an act entitled 'An act to amend sections 3636, 3638, 3639, 3641, 3710, 3712, 3713 3714, 3717 and 3720, chapter 59, Revised Statutes of Missouri, 'Of practice in civil cases,' approved March 28, 1885," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 310, entitled "An act to amend section 5442 of chapter 78 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of dramshops,' as amended by an act approved March 24, 1883," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 322, entitled "An act relating to stenographers for certain criminal courts," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 214, entitled "An act to amend an act entitled 'An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of cities, towns and villages,' by adding thereto one new section, to be known as section No. 5003½, relating to the police regulations of cities of the fourth class,' approved March 14, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 341, entitled "A bill as to terms of probate court in more than one place in certain counties, and as to appointment of clerks for the probate court in any county where terms of the probate

court may be held in more than one place in such county," to Committee on Judiciary.

Senate bill No. 342, entitled "A bill respecting married women," to Committee on Judiciary.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements to whom was referred Senate bill No. 291, entitled "An act requiring railroad companies or corporations to use upon any new freight car to be built or purchased on and after September 1, 1888, such couplers as can be coupled and uncoupled automatically," beg leave to report that they have carefully examined the same and recommend that it do not pass.

On motion of Senator Harmon, Senate bill No. 291 was indefinitely postponed.

Senate bill No. 179 was laid over informally.

Senate bill No. 202 was ordered to third reading, but on motion of Senator Jacobs, the order was reconsidered.

The following communication was received from the House of Representatives, through its Chief Clerk, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, joint and concurrent resolution No. 19, entitled "Joint and concurrent resolution fixing the time of adjournment of the Thirty-fourth General Assembly of the State of Missouri," in which the concurrence of the Senate is respectfully requested.

Senator Jacobs moved to reconsider the vote by which Senate bill No. 202 was ordered engrossed and printed. The motion was agreed to.

Senate bill No. 204, entitled "An act to repeal an act entitled 'An act creating a board of health for the State of Missouri, defining its duties and powers and fixing the compensation of its officers,' approved March 29, 1883, and to enact new sections in lieu thereof," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks and Wood—23.

NOES—Senators Parcher, Seabourn and Taggart—3.

ABSENT—Senators Castleman, Gideon, Moran, Ryors and Webster—5.

ABSENT WITH LEAVE—Senators Davisson, Johnson of Madison and Mansfield—3.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator McGinnis called up House joint and concurrent resolution No. 19, fixing the time of adjournment for the General Assembly at March 16.

Senator Ball offered the following amendment, which was read:

Amend House resolution No. 19, by inserting Monday, March 21, instead of Wednesday, March 16.

Senator Castleman moved to lay that motion on the table. The motion was not agreed to by the following vote:

AYES—Senators Castleman, Claycomb, Harmon, Hazell, Jacobs, Johnson of Montgomery, Parcher, Saltonstall and Sears—9.

NOES—Senators Allen, Ball, Downing, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—20.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Webster—5.

The question recurring on the adoption of the amendment, it was not agreed to by the following vote:

AYES—Senators Ball, Castleman, Hazell, Jacobs, Johnson of Montgomery, Parcher, Seabourn and Sears—8.

NOES—Senators Allen, Claycomb, Downing, Harmon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Sebree, Sheldon, Simrall, Smith, Sparks and Wood—20.

ABSENT—Senators Taggart and Webster—2.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

Senator Ball moved that the further consideration of the resolution be postponed until next Saturday. The motion was not agreed to by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Seabourn, Sears, Sparks and Taggart—15.

NOES—Senators Allen, Downing, Kelly, Kerwin, Ketchum, McGinnis, Moran, Proctor, Ryors, Sebree, Sheldon, Simrall, Smith, Webster and Wood—15.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The question recurring on the original question, the following was the result of the vote: [The President reserved the announcement of the result until to-morrow morning, for the purpose of exam-

ining into the matter of the majority necessary to carry such a resolution.

AYES—Senators Allen, Downing, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Moran, Proctor, Ryors, Seabourn, Sheldon, Simrall, Smith, Webster and Wood—16.

NOES—Senators Ball, Castleman, Claycomb, Harmon, Hazell, Jacobs, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sebree, Sparks and Taggart—14.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

Senate bill No. 218, entitled “An act to provide for the selection and acquisition of land whereon to erect county buildings, and to prescribe the qualifications for and the duration of the office of superintendent of such buildings,” was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Downing, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Ball, Harmon, Moran and Proctor—4.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Ketchum, McGinnis, Mackey, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Jacobs, Kerwin, Moran and Proctor—4.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The title was read and agreed to.

Senator Simrall moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read:

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred Senate bill No. 171, entitled “An act to amend an act entitled ‘An act to restrain domestic animals from running at large,’ approved March 27, 1883, by adding a new section

thereto, to be known as section 12a," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment:

Amend Senate bill No. 171 by adding the following emergency clause thereto:

The fact that a number of townships lying adjacent to the Mississippi river are now inundated by overflow of said river, creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage.

The amendment was read first and second times and agreed to.

On motion of Senator Sparks the Senate adjourned till 2 o'clock.

AFTERNOON SESSION.

The President *pro tem.* called the Senate to order.

Senate bill No. 219, entitled "An act to amend section six thousand nine hundred and eighty-six, Revised Statutes of Missouri of 1879," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart, Webster and Wood—25.

NO—Senator Downing.

ABSENT—Senators Castleman, Jacobs, Ketchum and Sparks—4.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The title was read and agreed to.

Senator Harmon moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 221, entitled "An act to amend section one thousand and seventy-seven (1077), article two (2), chapter twenty-three (23) of the Revised Statutes of 1879, relating to the Supreme Court," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Downing, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Proctor, Ryors, Saltonstall, Sears, Sheldon, Simrall, Smith and Webster—21.

NOES—Senators Castleman, Mackey, Parcher, Sebree, Taggart and Wood—6.

ABSENT—Senators Sparks, Harmon and Seabourn—3.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed by the House, Senate bill No. 6, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, and amended by a new section, approved March 31, 1885," with amendments;

Also, House bill No. 4, entitled "An act to repeal chapter 112 of the Revised Statutes of Missouri of 1879, entitled 'Of immigration;'"

Also, House bill No. 38, entitled "An act providing for the holding of two terms of Linn county circuit court at the city of Brookfield, in said county, and prescribing the jurisdiction thereof;"

Also, substitute for House bill No. 47, entitled "An act to amend section 6060 of article 5 of chapter 119 of the Revised Statutes of Missouri, entitled 'Of insurance;'"

Also, substitute for House bill No. 199, entitled "An act for the protection of the owners or keepers of stallions, jacks and bulls, and to prevent fraudulent pedigrees;"

Also, House bill No. 285, entitled 'An act to repeal article 4 of chapter 89 of the Revised Statutes of Missouri of 1879, with all amendments thereof, said article being entitled 'Cities of the third class,' and to enact in lieu thereof a new article, providing for the government of cities of the third class;'

Also, House bill No. 327, entitled "An act to establish the responsibility of railroad corporations, companies and persons owning or operating railroads, for damages by fires communicated by locomotive engines;"

Also, House bill No. 395, entitled "An act to amend an act entitled 'An act to amend chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations,' by adding a new article thereto, entitled 'Trust companies,' approved March 20, 1885;"

Also, House bill No. 551, entitled "An act to authorize the several counties of this State and the county seats thereof to erect, maintain and use court houses and jails jointly;"

Also, House bill No. 257, entitled "An act to repeal sections 7055, 7056, 7057 and 7058 of article 1, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools.'"

In which the concurrence of the Senate is respectfully requested, Senate bill No. 223, entitled "An act relating to cities of the second class," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart, Webster and Wood—26.

ABSENT—Senators Castleman, Downing and Harmon—3.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Sparks—5.

The emergency clause failed to pass by the following vote :

AYES—Senators Allen, Ball, Claycomb, Downing, Harmon, Hazell, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Webster and Wood—23.

ABSENT—Senators Castleman, Jacobs, Johnson of Montgomery, Parcher, Sears and Taggart—6.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Sparks—5.

Senator Moran moved to reconsider the vote by which the emergency clause failed to pass. The motion was agreed to.

The emergency clause was again put upon its passage and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Taggart, Webster and Wood—26.

ABSENT—Senators Jacobs, Parcher and Sears—3.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Sparks—5.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 228, entitled "An act to amend section 3376 of chapter 56 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of partition,' " was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Taggart, Webster and Wood—26.

ABSENT—Senators Jacobs, Parcher and Sears—3.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Sparks—5.

The title was read and agreed to.

Senator Simrall moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 229, entitled "An act to amend an act entitled 'An act to amend section 4043, Revised Statutes of Missouri, 1879,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart, Webster and Wood—25.

ABSENT—Senators Jacobs, Johnson of Montgomery, Parcher and Ryors—4.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

SICK—Senator Sparks.

The title was read and agreed to.

Senator Harmon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 236, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart, Webster and Wood—26.

ABSENT—Senators Harmon, Jacobs and Parcher—3.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Sparks—5.

The title was read and agreed to.

Senator Simrall moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 242, entitled "An act to amend section 2812 of article 1 of chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Ryors, Saltonstall, Sea-

bourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart, Webster and Wood—27.

ABSENT—Senators Jacobs and Proctor—2.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

SICK—Senator Sparks.

The title was read and agreed to.

Senator Webster moved that the vote by which the bill passed be reconsidered, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 258, entitled "An act to amend section 1 of an act entitled 'An act to amend section 13 of an act entitled an act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof,' approved February 2, 1871, changing the time of holding court and providing for changes of venue in said county, approved February 8, 1872," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—27.

ABSENT—Senators Parcher and Webster—2.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

SICK—Senator Sparks.

The title was read and agreed to.

Senator Simrall moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 261, entitled "An act granting to the common schools in townships in which saloons may be situated, one-third of the county revenue derived by the county from such saloon license," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Taggart and Wood—25.

NO—Senator Ryors.

ABSENT—Senators Downing, Simrall and Webster—3.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Sparks—5.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Substitute for Senate bill No. 125, entitled "An act to amend an act entitled 'An act to amend section 6879, and to repeal section 6880, and to enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads;' also a new section numbered 6886*a*; also an emergency clause approved March 17, 1885, by adding a new section, to be numbered 6886*b*," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senators Castleman, McGinnis and Ryors—3.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The title was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 1, entitled "An act providing that any city having a population of more than one hundred thousand inhabitants may frame a charter for its own government, and regulating the same," beg leave to report that they have carefully examined the same and find it truly enrolled.

The President *pro tem.* announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 1, entitled "An act providing that any city having a population of more than one hundred thousand inhabitants may frame a charter for its own government, and regulating the same," and that unless objection be heard he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented to the Governor for his approval.

Senate bill No. 232, entitled "An act to provide for the prevention of accidents to railroad employees and others by requiring that switches,

frogs and guard rails be properly blocked," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Harmon, Hazell, Hunter, Johnson of Montgomery, Ketchum, McGinnis, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Simrall, Smith, Sparks, Taggart, Webster and Wood—23.

NOES—Senators Downing and Kerwin—2.

ABSENT—Senators Jacobs, Kelly, Moran, Sebree and Sheldon—5.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The title was read and agreed to.

Senator Sparks moved to reconsider the vote by which the bill passed, and to lay that motion on table. The latter motion prevailed.

Senator McGinnis offered the following resolution, which was read and adopted:

Resolved, That hereafter whenever there are bills to be "read at length" for signature by the President and Secretary, the same shall be held for reading at night sessions, which shall be held for the purpose.

Senate bill No. 275, entitled "An act to amend article II. of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, to be designated as section 7154a," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

NOES—Senators Claycomb, Saltonstall and Sears—3.

ABSENT—Senator Jacobs.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The emergency clause was read and adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 278, entitled "An act to amend section 743 of article 1, chapter 21, Revised Statutes of the State of Missouri, 1879, entitled 'Of private corporations,'" was read third time and passed by the following vote;

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT—Senator Kelly.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The title was read and agreed to.

Senator Ryors moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 235, entitled "An act to appropriate money for the improvement of the State Capitol building," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Ryors, Seabourn, Sears, Smith, Webster and Wood—21.

NOES—Senators Claycomb, Harmon, Moran, Saltonstall, Sebree, Sheldon, Simrall, Sparks and Taggart—9.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The emergency clause was passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Ryors, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

NOES—Senators Moran, Saltonstall and Sheldon—3.

ABSENT—Senator Parcher.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

The title was read and agreed to.

Senator Ryors moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 280, entitled "An act to authorize railroad companies to use in common railroad tracks in cities of over forty thousand inhabitants, and providing for the appointment, and prescribing the

powers and duties of a terminal superintendent of such tracks, and the mode and manner in which a railroad company may acquire an easement over such tracks, and the compensation to be paid therefor," was taken up.

Senator Jacobs called up Senate bill No. 202, and offered the following amendment, which was read first and second times and agreed to:

Amendment No. 1. Amend section 2 of Senate bill No. 202 by striking out the words, "Of section 1 of this act, or who give any intoxicating liquors," in lines three and four of said section, and by inserting in lieu thereof the following: "Of this act, or who shall sell or give away, in any quantity, intoxicating liquors, except for mechanical or medicinal purposes."

The bill, as amended, was ordered engrossed and printed.

The Chair announced that House joint and concurrent resolution had passed the Senate by the vote recorded this morning.

Senator Wood moved to reconsider the vote by which House joint and concurrent resolution passed.

Senator Simrall moved to lay that motion on the table. The vote being on the latter motion, it was lost by the following vote:

AYES—Senators Allen, Ball, Hunter, Kelley, Kerwin, McGinnis, Sheldon and Simrall—8.

NOES—Castleman, Claycomb, Harmon, Hazell, Jacobs, Johnson of Madison, Mackey, Moran, Parcher, Proctor, Saltonstall, Sebree, Smith, Sparks, Taggart, Webster and Wood—17.

ABSENT—Senators Downing, Ketchum, Ryors, Seabourn and Sears—5.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Montgomery and Mansfield—4.

The question recurring on the motion to reconsider the vote by which the resolution passed, it was agreed to by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Harmon, Hazell, Jacobs, Johnson of Montgomery, Mackey, Moran, Parcher, Proctor, Saltonstall, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—19.

NOES—Senators Allen, Hunter, Kelly, Kerwin, McGinnis and Simrall—6.

ABSENT—Senators Downing, Ketchum, Ryors, Seabourn and Sears—5.

ABSENT ON LEAVE—Davisson, Gideon, Johnson of Madison and Mansfield—4.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 265, entitled "An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of one hundred and fifty thousand inhabitants or more, and providing for their compensation;"

Also, Senate bill No. 299, entitled "An act to create a park commission in any county in which there is a city now having or which may hereafter have a population of 50,000 or more inhabitants, to establish a park district and provide public parks, highways and boulevards therein;"

Also, Senate bill No. 293, entitled "An act to prevent extortion, unjust discrimination and pooling by railroad corporations; to increase the powers and enlarge the duties of the Railroad Commissioners, and to repeal sections 833, 834 and 842 of the Revised Statutes, 1879, and other acts inconsistent with the provisions of this act;"

Also, Senate bill No. 304, entitled "An act to amend chapter twenty-one of the Revised Statutes of Missouri of 1879, entitled 'Of private corporations,' by adding thereto a new article, to be entitled article XI. 'Of training schools for minors;'"

Also, Senate bill No. 328, entitled "An act to provide for the consolidation of municipal corporations, arranging the wards therein, and providing for elections after such consolidation," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Pending the discussion on the third reading of Senate bill No. 280, Senator Castleman moved to adjourn, but yielded the floor to Senator Ball to make a report from the Committee on Engrossed Bills.

Senator Harmon moved that Senate bill No. 293 be made the special order for 10 o'clock to-morrow morning. The motion was seconded.

Senator Ball moved to adjourn, and the motion was carried by the following vote:

AYES—Senators Allen, Ball, Castleman, Hunter, Jacobs, Kelly, Kerwin, Mackey, Parcher, Proctor, Saltonstall, Sheldon, Simrall, Smith, Sparks and Taggart—16.

NOES—Senators Claycomb, Harmon, Hazell, Johnson of Montgomery, McGinnis, Moran, Sebree and Wood—8.

ABSENT—Senators Downing, Ketchum, Ryors, Seabourn, Sears and Webster—6.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison and Mansfield—4.

FORTY-SECOND DAY—THURSDAY, March 3, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Downing withdrew the report on Senate bill No. 324, and the bill itself, made yesterday by Judiciary Committee.

The following Senate bills were ordered engrossed and printed:

Senate bill No. 171, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, by adding a new section thereto, to be known as section 12a."

Senate bill No. 311, entitled "An act to provide for the election or appointment of sheriffs in any county whenever any vacancy may occur nine months prior to the holding of a general election."

Senate bill No. 300, entitled "An act to amend section 5560 of chapter 101 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of elections.'"

Senate bill No. 322, entitled "An act relating to stenographers for certain criminal courts."

Senate bill No. 316, entitled "An act to provide for the *per diem* compensation of the Speaker of the House of Representatives as such."

Senate bill No. 337, entitled "An act to authorize county courts to assist in the formation and support of law libraries."

Senate bill No. 153, entitled "An act to create a lien against railroad companies, and to provide for the enforcement of the same."

Senate bill No. 315, entitled "An act to prevent any clerk of any court or any officer of any court from buying fees."

Senate bill No. 310, entitled "An act to amend section 5442 of chapter 98 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of dramshops,' as amended by act approved March 24, 1883," was indefinitely postponed.

Senate bill No. 285, entitled "An act to repeal article 4 of chapter 89 of the Revised Statutes of Missouri of 1879, with all amendments thereof, said article being entitled 'Cities of the third class,' and to en-

act in lieu thereof a new article, providing for the government of cities of the third class," was indefinitely postponed.

The following house bills were read first time :

House bill No. 4, entitled "An act to repeal chapter 112 of the Revised Statutes of Missouri of 1879, entitled 'Of immigration.'"

House bill No. 38, entitled "An act providing for the holding of two terms of Linn county circuit court at the city of Brookfield, in said county, and prescribing the jurisdiction thereof."

Substitute for House bill No. 47, entitled "An act to amend section 6060 of article 5 of chapter 119 of the Revised Statutes of Missouri, entitled 'Of insurance.'"

Substitute for House bill No. 199, entitled "An act for the protection of the owners or keepers of stallions, jacks and bulls, and to prevent fraudulent pedigrees."

House bill No. 257, entitled "An act to repeal sections 7055, 7056, 7057 and 7058 of article 1, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools;'"

House bill No. 285, entitled "An act to repeal article 4 of chapter 89 of the Revised Statutes of Missouri of 1879, with all amendments thereof, said article being entitled 'Cities of the third class,' and to enact in lieu thereof a new article, providing for the government of cities of the third class;"

House bill No. 327, entitled "An act to establish the responsibility of railroad corporations, companies and persons owning or operating railroads for damages by fires communicated by locomotive engines;"

House bill No. 395, entitled "An act to amend an act entitled an act to amend chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations,' by adding a new article thereto, entitled 'Trust companies,' approved March 20, 1885;"

House bill No. 551, entitled "An act to authorize the several counties of this State and the county seats thereof to erect, maintain and use court houses and jails jointly."

Senator Parcher offered the following resolution, which was read and adopted :

Resolved, That after March 5, 1887, there shall be no more bills introduced into the Senate during the present session.

The consideration of Senate bill No. 288 was resumed.

Senator Parcher moved to suspend the further consideration of the bill until Tuesday next at 10 o'clock, which was agreed to.

Senator Saltonstall granted leave of absence until Monday next.

Senator Harmon moved to suspend the rules and make Senate bill No. 293 the special order for 11 o'clock to-day.

The motion was not agreed to by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Moran, Sears, Sebree, Sparks, Taggart and Wood—12.

NOES—Senators Ball, Downing, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Ryors, Sheldon, Simrall, Smith and Webster—16.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

SICK—Senator Seabourn.

Senator Seabourn was reported sick.

Senate bill No. 86, entitled "An act to authorize a vote of the people to be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of the State," was taken up.

Senator Wood moved the previous question. The motion was agreed to.

The bill was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Claycomb, Downing, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Moran, Parcher, Proctor, Ryors, Sheldon, Smith, Sparks, Webster and Wood—18.

NOES—Senators Castleman, Harmon, Hazell, Hunter, Johnson of Montgomery, Mackey, Sears, Sebree, Simrall and Taggart—10.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

SICK—Senator Seabourn.

The title was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate joint and concurrent resolution No. 12, instructing our Senators and requesting our Representatives in Congress to use all means proper in their legislative capacity to secure an appropriation of fifty thousand dollars for the purpose of straightening Grand river, was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Ryors, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—24.

NOES—Senators Harmon, Moran, Sears and Sebree—4.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

SICK—Senator Seabourn.

The title was read and agreed to.

Senator Smith moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 209, entitled "An act to prohibit railroad companies, corporations or individuals owning, operating or managing any railroad in the State of Missouri, from consolidating the stock, property or franchises of such company, corporation or individual, or from leasing, purchasing or in any other manner acquiring an interest in the works or franchises of, or in any way whatever to any degree exercising control over any railroad company, corporation or individual owning, operating, or having under his or their control or management, a parallel or competing line in this State, and to prescribe penalties therefor, and the means of enforcing the provisions of this act, and to repeal all acts or parts of acts in conflict or inconsistent herewith," was taken up.

On motion of Senator Johnson of Montgomery, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Sears submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 336, entitled "An act to repeal section 3199 of chapter 47, article 3 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of liens of inn and boarding house keepers,' and to enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 6 was taken up with House amendment. The following amendment: Amend Senate bill No. 6 by inserting between the words "township" and "by," in the ninth line of said written bill, the words "in the same or an adjoining county," was read first and second times and agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Ketchum, McGinnis, Mackey, Moran, Parcher, Sears, Sheldon, Smith, Sparks, Taggart and Webster—20.

ABSENT—Senators Downing, Kelly, Kerwin, Proctor, Ryors, Sebree, Simrall and Wood—8.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

SICK—Senator Seabourn.

The following communication was received from the House of Representatives through its Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, Senate bill No. 5, entitled "An act to amend section 1167 of chapter 23 of Revised Statutes of Missouri, changing the time and terms of the circuit courts in the twenty-third judicial circuit of the State of Missouri;"

Also, Senate bill No. 9, entitled "An act to repeal section 4385 of article 1, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,' and to enact in lieu thereof three new sections, to be known as sections 4385, 4385*a* and 4385*b*;"

Also, Senate bill No. 12, entitled "An act to repeal an act entitled 'An act to repeal sections 3629 and 3630 of article VII. of chapter 59 of the Revised Statutes of the State of Missouri for 1879, entitled 'Of issues, trials and their incidents,' 'Of practice in civil cases,' approved March 31, 1885, and enacting in lieu thereof two new sections;"

Also, Senate bill No. 13, entitled "An act to amend section 1205 of the Revised Statutes of Missouri of 1879;"

Also, Senate bill No. 34, entitled "An act to amend section 1326 of the Revised Statutes of the State of Missouri of 1879;"

In which the concurrence of the Senate is respectfully requested.

The consideration of Senate bill No. 209 was resumed.

Senate bill No. 209 was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, McGinnis, Mackey, Parcher, Proctor, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—22.

NOES—Senators Kelly, Ketchum, Moran, Ryors and Smith—5.

ABSENT—Senators Davisson and Kerwin—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Saltonstall—4.

SICK—Senator Seabourn.

The emergency clause failed to pass by the following vote :

AYES—Senators Castleman, Claycomb, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kerwin, Mackey, Parcher, Sebree, Sheldon, Simrall, Taggart, Webster and Wood—15.

NOES—Senators Allen, Downing, Hunter, Kelly, Ketchum, McGinnis, Moran, Proctor, Ryors, Sears, Smith and Sparks—12.

ABSENT—Senator Ball.

ABSENT WITH LEAVE—Senators Davisson, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

SICK—Senator Seabourn.

The title of the bill was read and agreed to.

Senator Claycomb moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator McGinnis moved to reconsider the vote by which the emergency clause failed to pass, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 159 was laid over informally.

Senate bill No. 297, entitled "An act to authorize county courts to refund county and township bonds at a lower rate of interest," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—27.

ABSENT—Senators Davisson and Webster—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Saltonstall—4.

SICK—Senator Seabourn.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 58, entitled "An act to establish the thirtieth judicial circuit, and to provide for the appointment of a circuit judge therefor, and to fix the times of holding court therein," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Parcher, Proctor, Ryors, Seabourn, Sheldon, Simrall and Smith—18.

NOES—Senators Claycomb, Harmon, Hazell, Mackey, Moran, Sears, Sebree, Sparks, Taggart and Wood—10.

ABSENT—Senators Davisson and Webster—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Saltonstall—4.

The title was read and agreed to.

Senator Sheldon moved to reconsider the vote by which the bill

passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 233, entitled "An act to authorize county clerks to practice as attorneys and counselors at law," on motion of Senator McGinnis, was laid on the table.

Senator Sparks moved to reconsider the vote by which the Senate bill No. 69 failed to pass. The motion was agreed to.

Senate bill No. 69, entitled "An act to establish a uniform system of text-books to be used in the common schools of Missouri, and to repeal sections 7087, 7088 and 7089 of the Revised Statutes of Missouri of 1879," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Downing, Hunter, Jacobs, Johnson of Montgomery, Kelly, McGinnis, Mackey, Parcher, Proctor, Seabourn, Sebree, Sheldon, Smith, Taggart, Webster and Wood—18.

NOES—Senators Castleman, Claycomb, Davisson, Harmon, Hazell, Kerwin, Ketchum, Moran, Ryors, Sears, Simrall and Sparks—12.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Saltonstall—4.

The title of the bill was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill failed to pass, and to lay that motion on the table. The latter motion prevailed by the following vote :

AYES—Senators Allen, Ball, Downing, Hunter, Jacobs, Johnson of Montgomery, Kelly, McGinnis, Parcher, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—21.

NOES—Castleman, Claycomb, Davisson, Hazell, Kerwin, Ketchum, Mackey and Moran—8.

ABSENT—Senator Harmon.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Saltonstall—4.

Senate bill No. 244, entitled "An act to amend section 3310 of the Revised Statutes of Missouri, 1879," was read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Seabourn, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—24.

NO—Senator Simrall.

ABSENT—Senators Ball, Davisson, Proctor, Ryors and Sears—5.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Saltonstall—4.

The title was read and agreed to.

Senator Taggart moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 253, entitled "An act to provide for placing the statutes of Thomas H. Benton and Francis P. Blair, Jr., in the National Hall of Statuary at Washington," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Sebree, Smith, Sparks, Taggart, Webster and Wood—21.

NOES—Senators Claycomb, Downing, Harmon, Kerwin, Ketchum, Sears, Sheldon and Simrall—8.

ABSENT—Senator Seabourn.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Saltonstall—4.

Senator Ryors moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred substitute for Senate bill No. 11, entitled "An act to prohibit the employment of children in mills, mines, factories or workshops in this State under the age of twelve years;"

Also, substitute for Senate bill No. 301, entitled "An act to amend chapter 167 of the Revised Statutes of Missouri of 1879, entitled 'Of weights and measures,' by adding a new section thereto, to be known as section 7668*d*, relating to flour sold in packages, and providing a penalty for the violation thereof;"

Also, Senate bill No. 62, entitled "An act to repeal section 6334, chapter 129 of the Revised Statutes of Missouri of 1879, entitled 'Of merchants' licenses,' and to enact a new section in lieu thereof;"

Also, Senate bill No. 220, entitled "An act to repeal section 7162, of article III., chapter 150, Revised Statutes of 1879, entitled 'Of schools,' and to insert a new section in lieu thereof, to be numbered 7162;"

Also, Senate bill No. 279, entitled "An act to amend section 832 of chapter 21 of the Revised Statutes of 1879, entitled 'Railroad classification—charges—commissioners;"

Also, Senate bill No. 335, entitled "An act amending and in revision of all acts creating a board of police commissioners and authorizing the appointment of a permanent police force of the City of

Kansas, approved March 27, 1874, and subsequent amendments thereto, approved February 8, 1875, March 22, 1881, and March 24, 1881," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Wood submitted the following reports from the Committee on University, Public and Normal School Education, which were read :

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 286, entitled "An act to prevent any teacher of any public school in this State from teaching any language other than the English language, under the provisions of article 1, chapter 150 of the Revised Statutes of Missouri of 1879, except in counties having a population of 100,000 inhabitants or more, and in the city of St. Louis," beg leave to report that they have carefully examined the same and recommend that the accompanying substitute do pass.

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 338, entitled "An act to amend section 7037 of article 1, chapter 150 of the Revised Statutes of Missouri of 1879, entitled 'Of schools,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

The substitute for Senate bill No. 286 was read first and second times and adopted.

The rules were suspended and Senate bill No. 338 entitled "An act to amend section 7037 of article 1, chapter 150, Revised Statutes of the State of Missouri, 1879, entitled 'Of schools,'" was ordered engrossed and printed.

Senator Wood submitted the following reports from the Committee on University, Public and Normal School Education, which were read:

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 318, entitled "An act to transfer to the school fund, in each of the counties in this State, taxes and penalties paid into the county treasury upon land sold for non-payment of taxes, for which certificates of purchase are issued and redeemed in two years after the sale thereof, and to provide a limitation for the non-claim of the party entitled thereto," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 189, entitled "An act to amend chapter 150, Revised Statutes of Missouri

of 1879, entitled 'Of schools,' by adding a new section thereto, to be known as section 7141a," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred House bill No. 227, entitled "An act to repeal sections 7041, 7042 and 7043 of article 1, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof, to be numbered 7041, 7042 and 7043," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 339, entitled "An act to amend an act entitled 'An act to amend an act entitled an act to amend section 1155, article 4, chapter 23 of the Revised Statutes of Missouri, 'Circuit courts,' approved March 18, 1885,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 305, entitled "An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish false pedigrees," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendment:

Amend printed bill by striking out all after the word "be," in the eighth line, and insert in lieu thereof the words "guilty of a misdemeanor."

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 296, entitled "An act to repeal an act entitled an act to amend section 513 of the Revised Statutes of 1879, relating to prosecuting and circuit attorneys, approved March 19, 1881, and enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments:

Amendment No. 1. Amend printed bill, No. 296, by striking out the words "appeals taken," between the words "or" and "to," in the seventh and eighth lines of section 2, and insert in lieu thereof the words "when it becomes necessary to follow any case."

The amendment was read first and second times and agreed to.

Amendment No. 2. Amend printed bill, No. 296, by striking out the words "follow and," being the first two words in line nine of section two.

The amendment was read first and second times and agreed to.

House bill No. 192, entitled "An act to amend an act entitled 'An act to amend section 1164, article 4, chapter 23 of the Revised Statutes of the State of Missouri of 1879, 'Of courts of record,' approved March 31, 1883," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—28.

NO—Senator Ketchum.

ABSENT—Senator Webster.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Saltonstall—4.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—28.

ABSENT—Senators Sears and Webster—2.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Saltonstall—4.

The title was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Moran introduced Senate bill No. 345, entitled "An act to amend sections 4104, 4105 and 4159, chapter 77, Revised Statutes, entitled 'Of asylums,' " which was read first time, rules suspended and ordered not printed.

Senator Jacobs granted leave of absence until Monday at 2 o'clock.

The rules were suspended and Senate bill No. 339, entitled "An act to amend an act entitled 'An act to amend section one thousand one hundred and fifty-five (1155), article four (4), chapter twenty-three (23), of the Revised Statutes of Missouri, 'Of circuit courts,' approved March 24, 1883," " was ordered engrossed and printed.

On motion of Senator McGinnis, the Senate adjourned until tomorrow morning at 9:30 o'clock.

FORTY-THIRD DAY—FRIDAY, March 4, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Parcher reported sick.

Senator Sears introduced Senate bill No. 346, entitled "An act to prevent the repetition of crimes, and to provide punishment therefor," was read first time and 75 copies ordered printed.

Senator Sears submitted the following reports from the Committee on Enrolled Bills, which were read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 9, entitled "An act to repeal section 4385 of article 1, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages, and to enact in lieu thereof three new sections, to be known as sections 4385, 4385a and 4385b,'" beg leave to report that they have carefully examined the same and find it truly enrolled.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 6, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, and amended by a new section approved March 31, 1885," beg leave to report that they have carefully examined the same and find it truly enrolled.

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 12, entitled "An act to repeal an act entitled 'An act to repeal sections 3629 and 3630 of article VII., chapter 59 of the Revised Statutes of the State of Missouri for 1879, entitled 'Of issues, trials and their incidents,' 'Of practice in civil cases,' approved March 31, 1885, and enacting in lieu thereof two new sections,'" beg leave to report that they have carefully examined the same and find it truly enrolled.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 6, entitled "An act to amend an act entitled 'An act to restrain domestic

animals from running at large,' approved March 27, 1883, and amended by a new section, approved March 31, 1885;”

Also, Senate bill No. 9, entitled “An act to repeal section 4385 of article 1, chapter 89 of the Revised Statutes of Missouri, entitled ‘Of cities, towns and villages,’ and to enact in lieu thereof three new sections, to be known as sections 4385, 4385*a* and 4385*b*;”

Also, Senate bill No. 12, entitled “An act to repeal an act entitled ‘An act to repeal sections 3629 and 3630 of article 7, chapter 59 of the Revised Statutes of the State of Missouri of 1879, entitled ‘Of issues, trials and their incidents’ ‘Of practice in civil cases,’ approved March 31, 1885, and to enact in lieu thereof two new sections,” and announced immediately upon the reading of each bill, that unless no objection be heard, he would sign the same to the end that it should become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature to each of the bills in order as read. The bills were then taken to the House of Representatives, each bill read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator McGinnis moved to reconsider the vote by which Senate bill No. 300 was engrossed and printed. The motion was agreed to.

The following Senate bills were read second time and referred to committees, as follows :

Senate bill No. 344, entitled “An act to amend section 2180, chapter 28, Revised Statutes of Missouri, the chapter entitled ‘Of divorce, alimony and custody of children,’ ” to Committee on Judiciary;

Senate bill No. 345, entitled “An act to amend sections 4104, 4105, 4159, chapter 77 of Revised Statutes of Missouri, entitled ‘Of asylums,’ ” to Committee on Eleemosynary Institutions.

Senate bill No. 189 was taken up, and Senator Sebree offered the following amendment, which was read first and second times and agreed to:

Amend Senate bill No. 189 by striking out all after the word “teach,” in the second line of printed bill, and to and including “teach,” in the third line.

Senate bill No. 189, entitled ‘An act to amend chapter 150, Revised Statutes of Missouri, 1879, entitled ‘Of schools,’ by adding a new section thereto, to be known as section 7141*a*,’ as amended, was ordered engrossed and printed;

Also, Senate bill No. 286, entitled “An act to prevent any teacher of any public school in this State from teaching any language other than the English language, under the provisions of article 1, chapter

150, Revised Statutes of Missouri of 1879, except in counties having a population of one hundred thousand inhabitants or more, and in the city of St. Louis; ”

Also, Senate bill No. 296, entitled “An act to repeal an act entitled ‘An act to amend section five hundred and thirteen of the Revised Statutes of 1879, relating to prosecuting and circuit attorneys, approved March 19, 1881, and enact a new section in lieu thereof;”

Also, Senate bill No. 305, entitled “An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees; ”

Also, Senate bill No. 336, entitled “An act entitled an act to repeal section 3199 of chapter 47, article 3 of Revised Statutes of Missouri, entitled ‘Of liens of inn and boarding house keepers.’ ”

Senator McGinnis offered the following amendment to Senate bill No. 300:

Amend section 1, line nine, by inserting after the word “case” and before the word “to,” the following words: “accruing after the appeal;” also, amend same section, line thirteen, by inserting after the word “office” and before the word “if,” the following words: “together with all costs accruing after appeal.”

The amendment was read first and second times and agreed to.

The bill, as amended, was ordered engrossed and printed.

The following House bills were read second time and referred to committees, as follows:

House bill No. 4, entitled “An act to repeal chapter 112 of the Revised Statutes of Missouri of 1879, entitled ‘Of immigration,’ ” to Committee on Agriculture, Roads and Highways;

House bill No. 38, entitled “An act providing for the holding of two terms of Linn county circuit court at the city of Brookfield, in said county, and prescribing the jurisdiction thereof,” to Committee on Judiciary;

Substitute for House bill No. 47, entitled “An act to amend section 6060 of article 5 of chapter 119 of the Revised Statutes of Missouri, entitled ‘Of insurance,’ ” to Committee on Insurance;

Substitute for House bill No. 199, “An act for the protection of the owners or keepers of stallions, jacks and bulls, and to prevent fraudulent pedigrees,” to Committee on Agriculture, Roads and Highways;

House bill No. 257, entitled “An act to repeal sections 7055, 7056, 7057 and 7058 of article 1, chapter 150 of the Revised Statutes of the State of Missouri, entitled ‘Of schools,’ ” to Committee on University, Public and Normal School Education;

House bill No. 285, entitled “An act to repeal article 4 of chapter 89 of the Revised Statutes of Missouri of 1879, with all amendments

thereof, said article being entitled 'Cities of the third class,' and to enact in lieu thereof a new article, providing for the government of cities of the third class," to Committee on Corporations;

House bill No. 327, entitled "An act to establish the responsibility of railroad corporations, companies and persons owning or operating railroads, for damages by fires communicated by locomotive engines," to Committee on Railroads and Internal Improvements;

House bill No. 551, entitled "An act to authorize the several counties of this State and the county seats thereof to erect, maintain and use court houses and jails jointly," to Committee on Corporations other than Railroads and Insurance;

House bill No. 395, entitled "An act to amend an act entitled an act to amend chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations,' by adding a new article thereto, entitled 'Trust companies,' approved March 20, 1885," to Committee on Corporations other than Railroads and Insurance.

Senator Sebree offered the following amendment to Senate bill No. 318, which was read first and second times and agreed to:

Amend Senate bill No. 318 by striking out the words "or hereafter may be," in the second line of printed bill, and the words "if now in the county treasury, or if hereafter deposited in the county treasury, in two years after such deposit," as these words appear in Senate bill.

Senate bill No. 318, entitled "An act to transfer to the school fund in each of the counties in this State taxes and penalties paid into the county treasury upon land sold for non-payment of taxes for which certificates of purchase are issued and redeemed in two years after the sale thereof, and to provide a limitation for the non-claim of the party entitled thereto," as amended, was ordered engrossed and printed.

Senate bill No. 270, entitled An act to amend an act entitled an act to repeal section 7125, article 1, chapter 150 of the Revised Statutes of Missouri, 1879, entitled 'Of schools,' and to insert in lieu thereof a new section," was read third time and failed to pass by the following vote:

AYES--Senators Ball, Jacobs, Johnson of Montgomery, Smith and Webster--5.

NOES--Senators Allen, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Moran, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood--21.

ABSENT--Senators Downing, Mackey, Parcher and Ryors--4.

ABSENT ON LEAVE--Senators Gideon, Johnson of Madison, Mansfield and Saltonstall--4.

Leave of absence granted Senator Downing until next Tuesday.

Senate bill No. 272, entitled "An act to amend section 29 of an act entitled 'An act to repeal section 7489; also, sections 7490 and 7491, as amended by an act entitled 'An act to amend section 7446, article 4; sections 7455, 7457, article 5; section 7470, article 7; section 7485, article 9; sections 7490 and 7491, article 11; sections 7535 and 7538, article 13, all in chapter 162 of the Revised Statutes of Missouri, relating to township organization;' approved March 17, 1881; also, sections 7492, 7493, 7494; also, section 7495, as amended by an act entitled 'An act to amend section 7495, article 11, chapter 162, Revised Statutes of Missouri, entitled of township organization, relating to roads and highways,' approved March 26, 1881; also, sections 7496, 7497, 7498, 7499, 7500, 7501, 7502, 7503, 7504, 7505, 7506, 7507, 7508, 7509, 7510, 7511, 7512, 7513; also, section 7514, as amended by an act entitled 'An act to amend section 7514, article 11 of chapter 162 of Revised Statutes of the State of Missouri, relating to roads and highways under township organization,' approved March 26, 1881; also, sections 7515, 7516, 7517, 7518, 7519, 7520, 7521 and 7522, all of article 11, chapter 162 of the Revised Statutes of Missouri, and relating to roads, highways and bridges under township organization, and enacting new sections in lieu thereof,' approved March 29, 1883," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—22.

NO—Senator Wood.

ABSENT—Senators Mackey, Moran, Parcher, Proctor, Ryors and Sebree—6.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senator Taggart moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 274, entitled "An act to amend chapter 104, Revised Statutes of Missouri, 1879, entitled 'Of fences and inclosures,' by adding a new section thereto, to be known as section 5671a," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—25.

ABSENT—Senators Mackey, Parcher, Proctor and Ryors—4.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senate bill No. 231, entitled "An act to amend section 482 of chapter 7 of the Revised Statutes of Missouri, entitled 'Of attorneys at law,'" was read third time and failed to pass by the following vote:

AYES—Senators Allen, Ball, Claycomb, Hazell, Johnson of Montgomery, Ketchum, McGinnis, Moran, Sears, Sheldon and Webster—11.

NOES—Senators Castleman, Davisson, Harmon, Hunter, Jacobs, Kelly, Kerwin, Mackey, Proctor, Seabourn, Sebree, Simrall, Smith, Sparks and Taggart—15.

ABSENT—Senators Parcher, Ryors and Wood—3.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

Senate bill No. 234, entitled "An act concerning mutual saving societies," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Harmon, Parcher and Ryors—3.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senator McGinnis moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 302, entitled "An act authorizing county collectors to pay into the county treasury, pending litigation, money in their hands claimed by both the State and county or municipal townships," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—25.

ABSENT—Senators Parcher, Ryors and Webster—3.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The emergency clause was passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—26.

ABSENT—Senators Johnson of Montgomery, Parcher, Ryors and Webster—4.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senator Ball moved that the vote by which the bill passed be reconsidered and that motion be laid on the table. The latter motion prevailed.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 259, entitled "An act to amend sections one and two and to repeal section seven of an act to provide for the ascertainment of, and payment for damages done by municipal corporations to private property for public use, as directed by section 21 of article 2 of the State Constitution, entitled 'Cities, towns and villages—damages to private property for public use;'"

Also, Senate bill No. 295, entitled "An act to amend section 5436 of chapter 98, Revised Statutes, 1879, entitled 'Of dramshops,' and to repeal section 5442 of said chapter, as amended by an act entitled 'An act to amend sections 5438, 5440, 5441, 5442, 5456, 5464, to repeal section 5462 of chapter 98, and adding three new sections thereto, entitled 'Of dramshops,' approved March 24, 1883,' and enact a new section in lieu thereof, to be known as section 5442, and add two new sections;'"

Also, Senate bill No. 170, entitled "An act to repeal sections 7081, 7083, 7084, 7085 and 7086, article 1, chapter 150 of the Revised Statutes of the State of Missouri, 'Of schools;,' also, to repeal an act entitled 'An act to amend section 7082, article 1, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools,' approved April 2, 1883, and to enact the following sections in lieu thereof, to be numbered 7081, 7082, 7083, 7084, 7085 and 7086, relating to the election, duties and compensation of a county superintendent of public schools;'"

Also, Senate bill No. 307, entitled "An act entitled an act to amend article 8 of chapter 145 of the Revised Statutes of Missouri, relating to the assessment and taxation of railroads, by adding a new section thereto, to be known as section 6871a;'"

Also, Senate bill No. 255, entitled "An act to amend section 1036 of article 1, chapter 23 of the Revised Statutes of Missouri, entitled of 'General powers and duties of courts;,'"

Also, Senate bill No. 202, entitled "An act to prohibit the sale of intoxicating liquors within (3) three miles of the Avalon College, situated in Livingston county, Missouri;'"

Also, Senate bill No. 222, entitled "An act to regulate the course of study in the public schools ;"

Also, Senate bill No. 334, entitled "An act defining the jurisdiction of the St. Louis Court of Appeals, the Kansas City Court of Appeals, and such other courts of appeals as may hereafter be established by the General Assembly of the State of Missouri ;"

Also, Senate bill No. 330, entitled "An act relating to county, township or city railroad indebtedness, and the assessment of railroads and the collection of the taxes thereof ;"

Also, Senate bill No. 332, entitled "An act entitled an act to amend section three of an act entitled 'An act to amend sections 5438, 5440, 5442, 5456, 5464, and to repeal section 5462 of chapter 98, entitled 'Of dramshops,' as approved March 24, 1883," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Ketchum submitted the following report from the Committee on State and Swamp Lands, which was read :

MR. PRESIDENT: Your Committee on State and Swamp Lands to whom was referred House bill No. 370, entitled "An act to repeal section 6196 of the Revised Statutes of the State of Missouri of 1879, relating to swamp lands, and to enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

Substitute for Senate bills Nos. 108, 127 and 128 was made special order for next Wednesday at 10 o'clock.

Senator Hunter introduced Senate bill No. 347, entitled "An act to authorize the location of county seats in counties where the seat of justice shall have been destroyed by the caving of river banks," which was read first time, rules suspended and the bill ordered not printed.

Senate bill No. 181, entitled "An act to amend section 3833 of chapter 62 of the Revised Statutes of the State of Missouri, entitled 'Of recorders of deeds,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—24.

ABSENT—Senators Harmon, Jacobs, Moran, Parcher and Ryors—5.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senator Castleman moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 185, entitled "An act to ascertain the population of any county in this State, and to adjust the salaries of certain officers," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Moran, Parcher and Ryors—3.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The emergency clause was read and adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—25.

ABSENT—Senators Ketchum, Moran, Parcher and Ryors—4.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 217, entitled "An act to repeal section 2953, article 6, chapter 44 of the Revised Statutes of Missouri, 1879, as amended by an act entitled 'An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' approved March 24, 1885, and to enact a new section in lieu thereof, to be known as section 2953," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—24.

ABSENT—Senators Harmon, Moran, Parcher, Proctor and Ryors—5.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Sebree moved to reconsider the vote by which Senate bill No. 274 passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 239, entitled "An act providing for the holding of two terms of the Montgomery circuit court at the City of Montgomery in said county, and prescribing the jurisdiction thereof," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Moran, Parcher and Ryors—3.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senator Johnson of Montgomery moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 241, entitled "An act to establish and require the holding of two of the four terms of the probate court of Montgomery county, required by law to be held at the City of Montgomery, with like powers and jurisdiction co-extensive with said county as pertain to similar courts of record in this State, and for the establishment of a probate office and clerk at said City of Montgomery," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Moran, Parcher and Ryors—3.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senator Johnson of Montgomery moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 249, entitled "An act to amend section 1259, article 2 of chapter 24 of Revised Statutes, 1879 of the State of Missouri," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Hazell, Hunter, Jacobs, Johnson of Montgomery, Ketchum, Mackey, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—18.

NOES—Senators Claycomb, Harmon, Kelly, Kerwin, McGinnis, Moran, Proctor, Sears and Wood—9.

ABSENT—Senators Parcher and Ryors—2.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Moran offered the following resolution, which was read and laid on the table :

WHEREAS, There is a magnificent stretch of tilable lands, known as the Indian Territory, which is now occupied by barbarous tribal Indians, to the exclusion of the civilized yeomanry of this country ; therefore, be it

Resolved, As the sense of this Senate, that the Federal Government should immediately, or as soon as may be practicable, subject said lands to the operation of our homestead laws, to the end that they may be occupied by actual settlers.

On motion of Senator Sparks, the Senate adjourned until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read :

MR. PRESIDENT : Your Committee on Agriculture, Roads and Highways, to whom was referred House bill No. 19, entitled, "An act to amend section 5652, chapter 104 of the Revised Statutes of the State of Missouri, entitled 'Of fences and inclosures,' " as amended by act approved March 27, 1885 ; " beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendment.

Amend House bill No. 19 by inserting between the words "stock" and "so," in the ninth line of printed bill, the words "and by striking out the word 'twenty,' between the words 'than' and 'feet,' in the twelfth line of said section, and inserting in lieu thereof the word 'sixteen,' and by striking out the words 'and one-half,' between the words 'four' and 'feet,' in the 20th line of said section, and by adding to said section the words: '*Provided*, that nothing contained in this section, shall be so construed as to relieve any railroad company from the obligation of fencing the right of way of said company against hogs sheep, cattle, horses and like stock.' "

The amendment was read first and second times and agreed to.

Senate bill No. 252, entitled "An act to amend section 5415 of chapter 96 of the Revised Statutes of the State of Missouri, entitled 'Of ditches and drains,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Kerwin, McGinnis, Mackey, Moran, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood—20.

ABSENT--Senators Hunter, Jacobs, Johnson of Montgomery, Kelly, Ketchum, Ryors, Smith and Webster--8.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield, Parcher and Saltonstall--6.

The title was read and agreed to.

Senator Castleman moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 257 was laid over informally.

Senate bill No. 268, entitled "An act relating to stenographers for certain courts, and regulating the fees for their services," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Hunter, Johnson of Montgomery, Kerwin, McGinnis, Moran, Proctor, Sears, Sebree, Sheldon, Simrall, Sparks, Webster and Wood—18.

NOES—Senators Harmon, Hazell, Mackey, Seabourn and Taggart—5.

ABSENT—Senators Jacobs, Kelly, Ketchum, Parcher, Ryors and Smith—6.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

The title was read and agreed to.

Senator McGinnis moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 290 was laid over informally.

Senate joint and concurrent resolution No. 5 was laid over informally.

Senate bill No. 265, entitled "An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of one hundred and fifty thousand inhabitants or more, and providing for their compensation," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Johnson of Montgomery, Kerwin, Ketchum,

McGinnis, Mackey, Moran, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Downing and Kelly—2.

ABSENT WITH LEAVE—Senators Gideon, Jacobs, Johnson of Madison, Mansfield, Parcher and Saltonstall—6.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Downing and Kelly—2.

ABSENT WITH LEAVE—Senators Gideon, Jacobs, Johnson of Madison, Mansfield, Parcher and Saltonstall—6.

Senator Castleman offered the following amendment to the title, which was read and agreed to:

Amend title of Senate bill No. 265 by striking out the word "one" and inserting the word "three."

Senator Castleman moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 299, entitled "An act to create a park commission in any county in which there is a city now having or which may hereafter have a population of fifty thousand or more inhabitants; to establish a park district and provide public parks, highways and boulevards therein," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Downing and Ryors—2.

ABSENT WITH LEAVE—Senators Gideon, Jacobs, Johnson of Madison, Mansfield, Parcher and Saltonstall—6.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 304, entitled "An act to amend chapter 21 of the Revised Statutes of Missouri of 1879, entitled 'Of private corporations,' by adding thereto a new article, to be entitled article 11, 'Of training schools for minors,'" was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Harmon, Hunter, Kelly, Kerwin, Ketchum, Mackey, Moran, Proc-

tor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—23.

NOES—Senators Hazell, McGinnis and Smith—3.

ABSENT—Senator Ball.

ABSENT WITH LEAVE—Senators Gideon, Jacobs, Johnson of Madison, Mansfield, Parcher and Saltonstall—6.

The title was read and agreed to.

Senator Moran moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 328, entitled "An act to provide for the consolidation of municipal corporations, arranging the wards therein, and providing for elections after such consolidation," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Webster and Wood—26.

ABSENT—Senators Moran and Taggart—2.

ABSENT WITH LEAVE—Senators Gideon, Jacobs, Johnson of Madison, Mansfield, Parcher and Saltonstall—6.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon Downing,, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senator Moran.

ABSENT WITH LEAVE—Senators Gideon, Jacobs, Johnson of Madison, Mansfield, Parcher and Saltonstall—6.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 11, entitled "An act to prohibit the employment of children in mills, mines, factories or workshops in this State under the age of twelve years," was read third time and failed to pass by the following vote :

AYES—Senators Castleman, Claycomb, Davisson, Harmon, Kelly, Kerwin, McGinnis, Moran, Seabourn, Sears, Sebree, Smith and Webster—13.

NOES—Senators Hazell, Hunter, Johnson of Montgomery, Mackey, Ryors, Sheldon, Simrall, Sparks, Taggart and Wood—10.

ABSENT—Senators Allen, Ball, Jacobs, Ketchum, Parcher and Proctor—6.

ABSENT WITH LEAVE—Senators Downing, Gideon, Johnson of Madison, Mansfield and Saltonstall—5.

Substitute for Senate bill No. 301, entitled "An act to amend chapter 167 of the Revised Statutes of Missouri of 1879, entitled 'Of weights and measures,' by adding a new section thereto, to be known as section 7668a,' relating to flour sold in packages, and providing a penalty for the violation thereof," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senator Davisson.

ABSENT WITH LEAVE—Senators Gideon, Jacobs, Johnson of Madison, Mansfield, Parcher and Saltonstall—6.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 62, entitled "An act to repeal section 6334, chapter 129 of the Revised Statutes of Missouri of 1879, entitled 'Of merchants' licenses,' and to enact a new section in lieu thereof," was read third time and passed by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Ketchum, Mackey, Proctor, Ryors, Seabourn, Sears, Sheldon, Smith, Sparks, Taggart, Webster and Wood—21.

NOES—Senators Allen, Kelly, Kerwin, McGinnis, Moran, Sebree and Simrall—7.

ABSENT WITH LEAVE—Senators Gideon, Jacobs, Johnson of Madison, Mansfield, Parcher and Saltonstall—6.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following reports were received from the House of Representatives, which were read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 89, entitled "An act to amend section 1 of an act entitled 'An act to amend section 3311 of chapter 52 of Revised Statutes, 1879, of Missouri, entitled 'Of mortgages and deeds of trust,' approved March 26, 1881 ;"

Also, House bill No. 291, entitled "An act to amend article 3, chapter 150 of the Revised Statutes of Missouri, entitled 'Of Normal schools,' by adding a new section thereto, to be numbered section 7179a;"

Also, House bill No. 345, entitled "An act to repeal section 926, chapter 21, article 8 of the Revised Statutes of the State of Missouri, and to enact a new section in lieu thereof;"

Also, House bill No. 394, entitled "An act to require railroad companies or person owning or operating any railroad or railroads in this State to furnish suitable and convenient cars for shipping live stock."

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, Senate bill No. 26, entitled "An act entitled an act to amend an act entitled 'A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products,' " with amendments and an emergency clause, which were agreed to;

Also, Senate bill No. 132, entitled "An act to pay to the county of Livingston school moneys improperly withheld from it for the year 1875."

In which the concurrence of the Senate is respectfully requested.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 309, entitled "An act to prevent the intimidation of laborers within the State of Missouri, and to provide a penalty for the violation of this act," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Smith introduced Senate bill No. 348, entitled "An act to amend chapter 42, Revised Statutes of Missouri, entitled 'Of judgments,' by adding three new sections thereto, to be designated as sections 2776, 2777 and 2778," which was read first time, rules suspended and bill ordered not printed.

Senator Smith introduced Senate bill No. 349, entitled "An act to amend chapter 24, article 1 of the Revised Statutes of Missouri, by adding a new section thereto, to be designated as section 1232a," which was read first time, rules suspended and bill ordered not printed.

Senator Castleman submitted the following reports from the Committee on Insurance, which were read:

MR. PRESIDENT: Your Committee on Insurance, to whom was re-

ferred Senate bill No. 254, entitled "An act to repeal section 5998, article 3, chapter 119 of the Revised Statutes of Missouri of 1879, entitled 'Of Insurance,' and to enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate bill No. 7, entitled "An act to enable certain persons to associate and insure the members of the association against loss by fire, wind or lightning, and repealing all acts inconsistent thereto," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senate bill No. 254, entitled "An act to repeal section 5998, article 3, chapter 119 of the Revised Statutes of Missouri, 1879, entitled 'Of insurance,' and to enact a new section in lieu thereof," was indefinitely postponed.

Senator Castleman submitted the following reports from the Committee on Insurance, which were read :

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate bill No. 194, entitled "An act to authorize business, benevolent and miscellaneous associations to carry on the business of life and accident insurance on the assessment plan," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate bill No. 31, entitled "An act to repeal section 1 of an act entitled 'An act to amend section 6013, article 4 of the Revised Statutes of Missouri, 1879, entitled 'General provisions,' relating to insurance and service of legal process therein,' approved March 24, 1885, and to enact a new section in lieu thereof,'" beg leave to report that they have carefully examined the same and recommend that the accompanying substitute do pass.

Senate bill No. 194 was indefinitely postponed.

Substitute for Senate bill No. 31, entitled "An act to repeal section 1 of an act entitled 'An act to amend section 6013, article 4 of the Revised Statutes of Missouri, 1879, entitled 'General provisions,' relating to insurance and service of legal process therein,' approved March 24, 1885, and to enact a new section in lieu thereof," was read first and second times and agreed to.

Senator Castleman submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate bill No. 263, entitled "An act to prevent fire insurance

companies from charging a fee or premium upon gasoline stoves used in a dwelling upon which they have insurance against loss or damage by fire," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senate bill No. 263 was indefinitely postponed.

Senator Hazell introduced Senate bill No. 350, entitled "An act requiring railroad companies or corporations to stop all regular passenger trains at cities and towns along the lines of roads containing a population of 500 inhabitants or more," which was read first time, rules suspended and bill ordered not printed.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 99, entitled "An act to amend an act amending section 809, chapter 21, article 2, approved March 31, 1885," beg leave to report that they have carefully examined the same and recommend that it do not pass.

The following House bills were read first time:

House bill No. 89, entitled "An act to amend section 1 of an act entitled 'An act to amend section 3311 of chapter 52 of Revised Statutes, 1879, of Missouri, entitled 'Of mortgages and deeds of trust,' approved March 26, 1881; "

House bill No. 291, entitled "An act to amend article 3, chapter 150 of the Revised Statutes of Missouri, entitled 'Of Normal schools,' by adding a new section thereto, to be numbered section 7179a; "

House bill No. 345, entitled "An act to repeal section 926, chapter 21, article 8 of the Revised Statutes of the State of Missouri, and to enact a new section in lieu thereof; "

House bill No. 394, entitled "An act to require railroad companies, or persons owning or operating any railroad or railroads in this State, to furnish suitable and convenient cars for shipping live stock; "

Senate bill No. 89 was laid over informally.

House bill No. 129, entitled "An act to amend sections 1 and 2 of an act entitled an act to amend an act entitled 'An act to provide for the payment of wages of labor in the lawful money of the United States,' approved March 31, 1885," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Kerwin, Mackey, Seabourn, Sears and Taggart—8.

NOES—Senators Ball, Davisson, Downing, Hazell, Hunter, Johnson of Montgomery, Ketchum, McGinnis, Moran, Proctor, Ryors, Sebree, Sheldon, Simrall, Smith, Sparks, Webster and Wood—18.

ABSENT—Senators Harmon, Jacobs, Kelly and Parcher—4.

ABSENT WITH LEAVE—Senators Gideon, Johnson of Madison, Mansfield and Saltonstall—4.

On motion of Senator Ryors, the Senate adjourned until 9:30 o'clock to-morrow morning.

FORTY-FOURTH DAY—SATURDAY, March 5, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Hunter introduced Senate bill No. 351, entitled "An act to authorize the probate judge of New Madrid county to appoint a clerk of said court and prescribe his duties and compensation," read first time, rules suspended and bill ordered not printed.

The following Senate bills were read second time and referred to committees, as follows :

Senate bill No. 350, entitled "An act requiring railroad companies or corporations to stop all regular passenger and mail trains at cities and towns along the lines of roads containing a population of 500 inhabitants or more," to Committee on Railroads and Internal Improvements ;

Senate bill No. 347, entitled "An act to authorize the location of county seats in counties where the seat of justice shall have been destroyed by the caving of river banks," to Committee on Judiciary ;

Senate bill No. 349, entitled "An act entitled an act to amend chapter 24, article 1 of the Revised Statutes of Missouri, by adding a new section thereto, to be designated as section 1232a," to Committee on Judiciary ;

Senate bill No. 348, entitled 'An act entitled an act to amend chapter 42 of the Revised Statutes of Missouri, entitled 'Of judgments,' by

adding three new sections thereto to be designated as sections 2776, 2777 and 2778," to Committee on Judiciary.

Substitute for Senate bill No. 31, entitled "An act to repeal section one of an act entitled 'An act to amend section 6013, article 4 of the Revised Statutes of Missouri, 1879, entitled 'General provisions,' relating to insurance and service of legal process therein,' approved March 24, 1885, and to enact a new section in lieu thereof," was taken up, and ordered engrossed and printed.

Senate bill No. 7, entitled "An act to enable certain persons to associate and insure the members of the association against loss by fire, wind or lightning, and repealing all acts inconsistent thereto," taken up and indefinitely postponed, on motion of Senator Wood.

Senate bill No. 99, entitled "An act to amend an act amending section 809, article 2, chapter 21 of the Revised Statutes of Missouri, relating to corporations, approved March 31, 1885, by adding after the word "railroad," in the ninth line of said section, the following words: "also, fences on each side of said gates inside the right of way on both sides of said railroad, up to and as near said railroad track as practicable, in order that cattle guards may be constructed between where said fences abut up against the railroad track as aforesaid, at all necessary farm crossings, so that said fences and the cattle guards so erected between the abutments of the fences as aforesaid, shall make a lane across the railroad right of way from one gate to the other," so that said section, when amended, shall read as follows," was taken up and indefinitely postponed, on motion of Senator Wood.

The following House bills were taken up, read second time and referred to committees, as follows:

House bill No. 89, entitled "An act to amend section 1 of an act entitled "An act to amend section 3311 of chapter 52 of Revised Statutes, 1879, of Missouri, entitled 'Of mortgages and deeds of trust,' approved March 26, 1881," to the Committee on Judiciary;

House bill No. 291, entitled, "An act to amend article 3, chapter 150 of the Revised Statutes of Missouri, entitled 'Of normal schools,' by adding a new section thereto, to be numbered section 7179a," to the Committee on University, Public and Normal School Education;

House bill No. 345, entitled "An act to repeal section 926, chapter 21, article 8, of the Revised Statutes of the State of Missouri, and to enact a new section in lieu thereof," to the Committee on Labor, Mines and Manufactories;

House bill No. 394, entitled "An act to require railroad companies, or persons owning or operating any railroad or railroads in this State, to furnish suitable and convenient cars for shipping live stock," to the Committee on Railroads and Internal Improvements.

Senate bill No. 64, entitled "An act to amend section 5619, chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' " taken up and indefinitely postponed, on motion of Senator Wood.

Senate bill No. 137, entitled "An act to amend an act entitled 'An act in relation to prosecuting and circuit attorneys,' by repealing sections 512, 513, 514, 515, 516, 517 and 518 of chapter 9, article 2 Revised Statutes of Missouri, and to enact new sections in lieu thereof, of the same numbers, to read as follows," was taken up and indefinitely postponed, on motion of Senator Smith.

Senator Ketchum granted leave of absence till Tuesday morning.

Senator Downing, from the Committee on Judiciary, submitted the following report, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 347, entitled "An act to authorize the location of county seats in counties where the seat of justice shall have been destroyed by the caving of river banks," beg leave to report that they have carefully examined the same and recommend that it do pass.

House bill No. 9, entitled "An act to amend section 532, chapter nine (9) of the Revised Statutes of 1879, concerning prosecuting and circuit attorneys," was taken up, read third time and failed to pass by the following vote :

AYES—Senators Gideon, Kelly, Kerwin, McGinnis, Moran, Parcher and Simrall—7.

NOES—Senators Allen, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Mackey, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart and Wood—17.

ABSENT—Senator Davisson, Ketchum, Ryors and Webster—4.

ABSENT WITH LEAVE—Senators Ball, Jacobs, Johnson of Madison, Mansfield, Proctor and Saltonstall—6.

Senator Webster granted leave of absence till next Tuesday.

House bill No. 51, entitled "An act to amend section 4010 of chapter 72 of the Revised Statutes of the State of Missouri, entitled 'Of witnesses,' " was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Wood—21.

NO—Senator Gideon.

ABSENT—Senators Davisson, Moran, Parcher, Proctor, Ryors and Sheldon—6.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Ketchum, Mansfield, Saltonstall and Webster—6.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 192, entitled "An act to amend an act entitled 'An act to amend section 1164, article 4, chapter 23 of the Revised Statutes of the State of Missouri of 1879, 'Of courts of records,' approved March 31, 1883.'"

The bill was read at length, and no objections being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto to the end that it become a law.

House bill No. 58, entitled "An act to amend section 2564 of chapter 37 of the Revised Statutes of 1879 of the State of Missouri, entitled 'Of guardians and curators,'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Parcher, Seabourn, Sears, Simrall, Smith, Sparks, Taggart and Wood—23.

NO—Senator Sebree.

ABSENT—Senators Ketchum, Sheldon and Webster—3.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Mansfield, Moran, Proctor, Ryors and Saltonstall—7.

The title was read and agreed to.

Senator Harmon moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

House bill No. 198, entitled "An act to amend section 5022, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,'" was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—24.

ABSENT—Senators Mackey and Moran—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Ketchum, Mansfield, Proctor, Ryors, Saltonstall and Webster—8.

The title was read and agreed to.

Senator Harmon moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

House bill No. 264, entitled "An act to amend section 1532, article 7, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—18.

NOES—Senators Gideon, Hunter, Seabourn and Sparks—4.

ABSENT—Senators Davisson and Mackey—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Ketchum, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall and Webster—10.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 294, entitled "An act to amend section 1306 of article 3 of chapter 24 of the Revised Statutes, entitled 'Of crimes and criminal procedure,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—22.

ABSENT—Senators Harmon, Mackey and Parcher—3.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Ketchum, Mansfield, Moran, Proctor, Ryors, Saltonstall and Webster—9.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 20, entitled "An act to amend section 1350, article 3, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Moran, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—26.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Ketchum, Mansfield, Proctor, Saltonstall and Webster—7.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Allen called up the following House amendment to Senate bill No. 34:

Amend Senate bill No. 34 by striking out the word "five," in the last line of printed bill, and insert the word "three" in lieu thereof, which was read first and second times and agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—23.

NO—Senator Moran.

ABSENT—Senators Harmon, Hunter and Ryors—3.

ABSENT ON LEAVE—Senators Jacob, Johnson of Madison, Ketchum, Mansfield, Proctor, Saltonstall and Webster—7.

Senator Allen called up House amendment to Senate bill No. 13.

Amend Senate bill No. 13 by inserting the words "or more," between the words "thousand" and "inhabitants," wherever they occur in said bill, which was read first and second times and agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—25.

ABSENT—Senator Moran and Ryors—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Ketchum, Mansfield, Proctor, Saltonstall and Webster—7.

House bill No. 11, entitled "An act making all contracts hereafter made limiting the time in which suit may be brought, null and void," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kerwin, Mackey, Moran, Parcher, Seabourn, Sears, Sheldon, Simrall, Smith and Sparks—21.

NOES—Senators McGinnis, Sebree, Taggart and Wood—4.

ABSENT—Senators Kelly and Ryors—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Ketchum, Mansfield, Proctor, Saltonstall and Webster—7.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed, and lay that motion on the table.

Substitute for House bill No. 26 was taken up, and Senator Simrall offered the following amendment, which was read first and second times and agreed to:

Amend section one by adding to section one the following words at the end thereof: "*And provided, further*, that the limitation in this act specified shall not be deemed to apply in any case where the widow is in possession of and enjoying the mansion house of her husband, as specified in section 2205, Revised Statutes of the State of Missouri of 1879, until she shall have been evicted therefrom."

House bill No. 26, entitled "An act limiting the time for the institution of suits for dower in real estate," was taken up and read third time.

Pending discussion, Senator Wood moved the previous question, which motion prevailed.

The question recurring on the bill, the same failed to pass by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Hazell, Kelly, Kerwin, McGinnis, Sears, Sebree and Simrall—11.

NOES—Senators Claycomb, Downing, Gideon, Harmon, Hunter, Johnson of Montgomery, Mackey, Parcher, Seabourn, Sheldon, Smith, Sparks, Taggart and Wood—14.

ABSENT—Senators Moran and Ryors—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Ketchum, Mansfield, Proctor, Saltonstall and Webster—7.

Senator Wood moved to reconsider the vote by which the bill failed to pass, and to lay that motion on the table.

Senator Allen moved to adjourn till Monday at two o'clock, which was not agreed to by the following vote:

AYES—Senators Allen, Gideon, Hazell, Kelly, Kerwin, Mackey, Simrall and Wood—8.

NOES—Senators Ball, Castleman, Claycomb, Downing, Harmon, Hunter, Johnson of Montgomery, McGinnis, Parcher, Seabourn, Sears, Sebree, Sheldon, Smith and Sparks—15.

ABSENT—Senator Davisson, Moran, Ryors and Taggart—4.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Ketchum, Mansfield, Proctor, Saltonstall and Webster—7.

Senator Downing moved to adjourn till next Monday at 10 o'clock, which was not agreed to by the following vote:

AYES—Senators Allen, Davisson, Downing, Gideon, Hazell, Kelly, Kerwin, Mackey, Parcher, Sheldon, Simrall and Smith—12.

NOES—Senators Ball, Castleman, Claycomb, Harmon, Hunter,

Johnson of Montgomery, McGinnis, Seabourn, Sears, Sebree, Sparks, Taggart and Wood--13.

ABSENT—Senators Moran and Ryors—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Ketchum, Mansfield, Proctor, Saltonstall and Webster—7.

Senator Wood offered resolution in regard to leave of absence of Senators. Laid over one day under the rules.

Senator Hunter moved to lay the resolution on the table. Not agreed to by the following vote :

AYES—Senators Hazell, Hunter, Kelly, Kerwin, Mackey, Parcher, Sheldon and Simrall—8.

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Johnson of Montgomery, McGinnis, Seabourn, Sears, Sebree, Smith, Sparks, Taggart and Wood—16.

ABSENT—Senators Downing, Ketchum and Ryors—3.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Mansfield, Moran, Proctor, Saltonstall and Webster—7.

Leave of absence granted Senators Kerwin, Parcher and Hazell till Monday at 10 o'clock A. M.

On motion of Senator Ball, the Senate adjourned till 2 o'clock P. M.

AFTERNOON SESSION.

The President called the Senate to order.

Substitute for House bill No. 28, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeal, and providing for distribution and sale thereof,' approved March 31, 1885, by adding a new section thereto, to be known as section 15a, providing for the publication or purchase and distribution of the first sixteen volumes of the Missouri Appeal Reports," was taken up, read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Montgomery, Kelly, McGinnis, Mackey, Moran, Parcher, Sears, Sebree, Smith, Taggart and Wood—20.

NOES—Senators Harmon, Seabourn, Sheldon and Simrall—4.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

The emergency clause failed to be adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Johnson of Montgomery, Kelly, McGinnis, Mackey, Moran, Parcher, Sears, Sebree, Sheldon, Smith, Taggart and Wood—21.

NOES—Senators Hazell, Seabourn and Simrall—3.

ABSENT—Senators Ketchum and Ryors—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Mansfield, Proctor, Saltonstall and Webster—7.

SICK—Senator Sparks.

The title was read and agreed to.

The rules were suspended and Senator Hunter introduced Senate bill No. 352, entitled "An act to facilitate the drainage of swamp and overflowed lands," which was read first time, rules suspended and bill ordered not printed.

House bill No. 61, entitled "An act to amend section 3482 of article three of chapter 59 of the Revised Statutes of Missouri of 1879, entitled 'Of practice in civil cases, and of the place for bringing suits,'" was taken up and laid over informally.

House bill No. 65, entitled "An act to repeal section 384 of the Revised Statutes of Missouri of 1879, and enacting a new section in lieu thereof, to be known as section 384, relating to the appointment of assignees in cases of vacancy," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, McGinnis, Mackey, Moran, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith and Taggart—23.

ABSENT—Senators Ryors and Wood—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

House bill No. 74, entitled "An act to prevent diseased stock of any kind from running at large," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Johnson of Montgomery, Kelly, McGinnis, Mackey, Moran, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—21.

NOES—Senators Downing, Gideon and Hunter—3.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 91, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 31, 1885, by adding the words 'or any other animals,' between the words 'sheep' and 'from,' in the fifth line of said section 12, so that said section shall read as follows," was taken up, read third time and failed to pass by the following vote:

AYES—Senators Gideon, Hazell, Hunter, Johnson of Montgomery, Seabourn, Sears, Sebree and Sheldon—8.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Harmon, Kelly, McGinnis, Mackey, Moran, Parcher, Simrall, Smith, Taggart and Wood—15.

ABSENT—Senators Ball and Ryors—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

House bill No. 96, entitled "An act to amend section 2599 of chapter 37 of the Revised Statutes of Missouri of 1879, entitled 'Of guardians and curators,' as amended by an act approved March 28, 1885," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, McGinnis, Mackey, Moran, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—23.

NO—Senator Claycomb.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

The title was read and agreed to.

Substitute for House bill No. 172, entitled "An act to amend article 2 of chapter 46 of the Revised Statutes of the State of Missouri, relating to the construction of Statutes," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery,

Kelly, McGinnis, Mackey, Moran, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—24.

ABSENT—Senators Ketchum and Ryors—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 181, entitled "An act exempting superintendents of county poor houses from jury duty by amending an act entitled 'An act exempting certain bank officials from jury duty, by amending section 2779, chapter 43 of the Revised Statutes, 1879, entitled 'Of grand and petit juries,' approved April 2, 1885,'" was taken up.

Senator Castleman submitted the following amendment to House bill No. 181, which was not agreed to :

Amend by striking out of first section all after and including the word "inserting," and by inserting in lieu thereof the following: striking out of said section all after the word "department," in the eighth line thereof, and by striking out of section 2 of said bill all after the word "department," in the tenth line thereof.

The question recurring on the bill, it failed to pass by the following vote:

AYES—Senators Allen, Ball, Davisson, Downing, Gideon, Hazell, Johnson of Montgomery, Kelly, Mackey, Parcher, Seabourn, Sears, Sheldon, Simrall and Wood—15.

NOES—Senators Castleman, Claycomb, Harmon, Hunter, Smith and Taggart—6.

ABSENT—Senators McGinnis, Moran, Ryors and Sebree—4.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

Senate bill No. 335, entitled "An act amending and in revision of all acts creating a board of police commissioners, and authorizing the appointment of a permanent police force of the City of Kansas, approved March 27, 1874, and subsequent amendments thereto, approved February, 8, 1875, March 22, 1881, and March 24, 1881," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Mackey, Moran, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—22.

ABSENT—Senators Downing, McGinnis and Ryors—3.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, McGinnis, Mackey, Moran, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—24.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

House bill No. 188, entitled "An act to amend section 6789, chapter 145, article 4 of the Revised Statutes of the State of Missouri of 1879, relating to the settlement of collectors," was taken up, and Senator Gideon submitted the following amendment, which was read first and second times and not agreed to:

Amend House bill No. 188 by striking out the following words: "The assessor or," in the eighteenth line of printed bill.

The question recurring on the passage of House bill No. 188, it passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Hazell, Johnson of Montgomery, Kelly, McGinnis, Mackey, Moran, Parcher, Sears, Sebree, Sheldon, Simrall, Taggart and Wood—18.

NOES—Senators Claycomb, Gideon, Hunter and Seabourn—4.

ABSENT—Senators Harmon, Ryors and Smith—3.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The motion prevailed.

House bill No. 248, entitled "An act to amend sections 6909 and 6910, article 11, chapter 145 of the Revised Statutes of 1879, relating to taxation of merchants and manufactures, by inserting certain words therein and by adding an additional clause to said section 6910," was taken up, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery,

Kelley, McGinnis, Mackey, Moran, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Taggart and Wood—23.

ABSENT—Senator Ryors and Smith—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

House joint and concurrent resolution No. 7, entitled "Instructing our Senators and requesting our Representatives in Congress to favor the passage of an act for the suppression of pleuro-pneumonia and other contagious diseases among domestic animals," was taken up and laid over informally, on motion of Senator Downing.

House bill No. 18, entitled "An act to prevent the granting, sending or delivering free passes or tickets, or passes or tickets at a discount, to members of the General Assembly, members of State Board of Equalization, any State, judicial, county or municipal officer, by any railroad or other transportation company, or any officer, agent or employe of any such company, and to prevent any of said officers from accepting, using or traveling on the same," was taken up:

Senator Downing submitted the following amendment:

Amend by adding to section 3 the following: "*Provided, however,* that excursion and commutation tickets may be issued at special rates," which was read first and second times and not agreed to by the following vote:

AYES—Senators Davisson, Downing, Kelly, McGinnis, Moran, Seabourn, Sheldon and Simrall—8.

NOES—Senators Allen, Ball, Castleman, Claycomb, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Mackey, Parcher, Sears, Sebree, Smith, Taggart and Wood—16.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

Senator McGinnis submitted the following amendment:

Amend by striking out all after the word "provided," in line 11 of section 3, inclusive, which was read first and second times and not agreed to by the following vote:

AYES—Senators Allen, Davisson, Downing, Gideon, Hunter, Kelly, McGinnis, Moran, Seabourn, Sheldon and Simrall—11.

NOES—Senators Ball, Castleman, Claycomb, Harmon, Hazell,

Johnson of Montgomery, Mackey, Parcher, Sears, Sebree, Smith, Taggart and Wood—13.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

Senator Moran submitted the following amendment :

Amend printed bill by striking out all between the words "State" and "any," in the fifth line of printed bill, which was read first and second times and not agreed to by the following vote :

AYES—Senators Davisson, Kelly, McGinnis and Moran—4.

NOES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Mackey, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—20.

ABSENT—Senator Ryors.;

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

Senator Johnson of Montgomery moved the previous question, which was agreed to.

The question recurring on the passage of the bill, it was passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Mackey, Moran, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—22.

NOES—Senators Davisson and McGinnis—2.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

Senator McGinnis moved to reconsider the vote by which the bill passed. Senator Castleman moved to lay that motion on the table.

The last motion was not agreed to by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Gideon, Harmon, Hazell, Johnson of Montgomery, Mackey, Parcher, Sears, Sebree and Taggart—12.

NOES—Senators Allen, Davisson, Downing, Hunter, Kelly, McGinnis, Moran, Seabourn, Sheldon, Simrall, Smith and Wood—12.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

The question recurring on the motion to reconsider the vote by which House bill No. 18 passed, it was not agreed to by the following vote:

AYES—Senators Allen, Davisson, Downing, Gideon, Kelly, McGinnis, Moran, Parcher, Seabourn, Sheldon, Simrall and Smith—12.

NOES—Senators Ball, Castleman, Claycomb, Harmon, Hazell, Hunter, Johnson of Montgomery, Mackey, Sears, Sebree, Taggart and Wood—12.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Kerwin, Ketchum, Mansfield, Proctor, Saltonstall and Webster—8.

SICK—Senator Sparks.

On motion of Senator Sears, the Senate adjourned till 9:30 o'clock Monday morning.

FORTY-FIFTH DAY—MONDAY, March 7, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Senator Wood offered the following resolution, which was read and laid over under the rules:

Resolved, That Hon. J. T. Rutherford of Randolph county, be and he is hereby made assistant seargeant-at-arms of the Senate for the remainder of this session, at a salary of five dollars per day.

Senator Sears submitted the following reports from the Committee on Enrolled Bills, which were read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 132, entitled "An act to pay to the county of

Livingston school moneys improperly withheld from it for the year 1875," beg leave to report that they have carefully examined the same and find it truly enrolled.

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 26, entitled "An act to amend an act entitled 'A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products,' approved March 24, 1881," beg leave to report that they have carefully examined the same and find it truly enrolled.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 311, entitled "An act to provide for the election or appointment of sheriff in any county whenever any vacancy may occur nine months prior to the holding of a general election ;"

Also, Senate bill No. 153, entitled "An act entitled 'An act to create a lien on railroad companies, and to provide for the enforcement of the same ;' "

Also, Senate bill No. 171, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, by adding a new section thereto, to be known as section 12a ;"

Also, Senate bill No. 315, entitled "An act to prevent any clerk of any court, or any officer of any court from buying fees ;"

Also, Senate bill No. 322, entitled "An act relating to stenographers for certain criminal courts ;"

Also, Senate bill No. 316, entitled "An act to provide for the *per diem* compensation of the Speaker of the House of Representatives as such ;"

Also, Senate bill No. 337, entitled "An act to authorize county courts to assist in the formation and support of law libraries," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 351, entitled "An act to authorize the probate judge of New Madrid county to appoint a clerk of said court and prescribe his duties and compensation," to Committee on Judiciary ;

Senate bill No. 352, entitled "An act to facilitate the drainage and reclamation of swamp and overflowed lands," to Committee on State and Swamp Lands ;

Senate bill No. 347, entitled "An act to authorize the location of

county seats when the seat of justice shall have been destroyed by the caving of river banks," was ordered engrossed and printed.

Senate bill No 220, entitled "An act to repeal section 7162 of article 3, chapter, 150, Revised Statutes of Missouri, 1879, entitled 'Of schools,' and to insert a new section in lieu thereof, to be numbered 7162," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Kerwin, McGinnis, Mackey, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood—21.

ABSENT—Senators Downing, Johnson of Montgomery, Kelly, Moran, Parcher, Ryors and Smith—7.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Mansfield, Proctor and Webster—5.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Sparks moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The title of House bill No. 18 was read and agreed to.

Senate bill No. 222, entitled "An act to regulate the course of study in the public schools," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Hazell, Hunter, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood—20.

NO—Senator Gideon.

ABSENT—Senators Downing, Harmon, Kelly, Moran, Parcher, Ryors and Smith—7.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Mansfield, Proctor and Webster—5.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 259, entitled "An act to amend sections one and two and to repeal section seven of an act to provide for the ascertainment of and payment for damages done by municipal corporations to private property for public use, as directed by section 21 of article 2 of the State Constitution, entitled 'Cities, towns and villages—damages to

private property for public use,'” was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood—23.

ABSENT—Senators Downing, Kelly, Moran, Parcher and Smith—5.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Mansfield, Proctor and Webster—5.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 255, entitled “An act entitled an act to amend section 1036 of article 1, chapter 23 of the Revised Statutes of Missouri, entitled ‘General powers and duties of courts,’” was read third time and failed to pass by the following vote:

AYES—Senators Allen, Ball, Davisson, Hazell, Johnson of Montgomery, Ryors, Sheldon and Wood—8.

NOES—Senators Castleman, Claycomb, Gideon, Harmon, Hunter, Kerwin, McGinnis, Mackey, Saltonstall, Seabourn, Sears, Sebree, Simrall, Sparks and Taggart—15.

ABSENT—Senators Downing, Kelly, Moran, Parcher and Smith—5.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison, Mansfield, Proctor and Webster—5.

SICK—Senator Ketchum.

Senate bill No. 307, entitled “An act to amend article 8 of chapter 145 of the Revised Statutes of Missouri, relating to the assessment and taxation of railroads, by adding a new section thereto, to be known as section 6871a,” was read third time and failed to pass by the following vote:

AYES—Senators Harmon, Ryors and Sears—3.

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood—21.

ABSENT—Senators Downing, Kelly, Moran, Parcher and Smith—5.

ABSENT WITH LEAVE—Senators Johnson of Madison, Ketchum, Mansfield, Proctor and Webster—5.

Senate bill No. 330, entitled “An act relating to county, township or city railroad indebtedness, and the assessment of railroads, and the

collection of the taxes thereof," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Claycomb, Davisson, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Sparks, Taggart and Wood—20.

NOES—Senators Castleman and Gideon—2.

ABSENT—Senators Downing, Harmon, Moran, Simrall and Smith—5.

ABSENT WITH LEAVE—Senators Johnson of Madison, Kelly, Mansfield, Parcher, Proctor and Webster—6.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 332, entitled "An act entitled 'An act to amend section three of an act entitled an act to amend sections 5438, 5440, 5442, 5456, 5464, and to repeal section 5462 of chapter 98, entitled 'Of dramshops,' as approved March 24, 1883,'" was read third time and passed by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Davisson, Hunter, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Sparks, Taggart and Wood—18.

NOES—Senators Allen, Gideon, Hazell, Sears and Simrall—5

ABSENT—Senators Downing, Harmon, Moran and Smith—4.

ABSENT WITH LEAVE—Senators Johnson of Madison, Kelly, Mansfield, Parcher, Proctor and Webster—6.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 334, entitled 'An act defining the jurisdiction of the St. Louis Court of Appeals, the Kansas City Court of Appeals, and such other courts of appeals as may hereafter be established by the General Assembly of the State of Missouri," was read third time and failed to pass by the following vote :

AYES—Senators Ball, Castleman, Davisson, Gideon, Harmon, Hazell, Hunter, Kerwin, McGinnis, Mackey, Moran, Seabourn, Sheldon, Simrall and Wood—15.

NOES—Senators Allen, Claycomb, Johnson of Montgomery, Ryors, Saltonstall, Sears, Sebree and Sparks—8.

ABSENT—Senators Downing, Jacobs, Smith and Taggart—4.

ABSENT WITH LEAVE—Senators Johnson of Madison, Kelly, Mansfield, Parcher, Proctor and Webster—6.

SICK—Senator Ketchum.

Senate bill No. 309, entitled "An act to prevent the intimidation of laborers within the State of Missouri, and to provide a penalty for the violation of this act," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Harmon, Hunter, Jacobs, Johnson of Montgomery, Mackey, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood—18.

NOES—Senators Davisson, Gideon, Hazell, Kerwin, McGinnis, Moran and Sears—7.

ABSENT—Senators Downing, Kelly, Parcher and Smith—4.

ABSENT WITH LEAVE—Senators Johnson of Madison, Mansfield, Proctor and Webster—4.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Sheldon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

On motion of Senator Harmon, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Sears submitted the following reports from the Committee on Enrolled Bills, which were read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 13, entitled "An act to amend section 1205 of the Revised Statutes of Missouri of 1879," beg leave to report that they have carefully examined the same and find it truly enrolled.

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 34, entitled "An act to amend section 1326 of the Revised Statutes of the State of Missouri of 1879," beg leave to report that they have carefully examined the same and find it truly enrolled.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 336, entitled "An act to repeal section 3199 of chapter 47, article 3 of the Revised Statutes of the State of Mis-

souri of 1879, entitled 'Of liens of inn and boarding house keepers,' and to enact a new section in lieu thereof;''

Also, Senate bill No. 339, entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend section 1155, article 4, chapter 23 of the Revised Statutes of Missouri, 'Circuit courts,' approved March 18, 1885;'"

Also, Senate bill No. 189, entitled "An act to amend chapter 150, Revised Statutes of Missouri, 1879, entitled 'Of schools,' by adding a new section thereto to be known as section 7141a;'"

Also, Senate bill No. 300, entitled "An act to amend section 5560 of chapter 101 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of elections;'"

Also, Senate bill No. 296, entitled "An act to repeal an act entitled 'An act to amend section five hundred and thirteen of the Revised Statutes of 1879, relating to prosecuting and circuit attorneys,' approved March 19, 1881, and enact a new section in lieu thereof;'"

Also, Senate bill No. 338, entitled "An act to amend section 7037 of article 1, chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of schools;'"

Also, Senate bill No. 318, entitled "An act to transfer to the school fund in each of the counties in this State taxes and penalties paid into the county treasury upon land sold for non-payment of taxes, for which certificates of purchase are issued and redeemed in two years after the sale thereof, and to provide a limitation for the non claim of of the party entitled thereto;'"

Also, Senate bill 305, entitled "An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees," beg leave to report that they have compared the same, and find them to be truly engrossed and that the printed copies thereof furnished to the Senators are correct.

Senator Smith submitted a partial report from the special Committee appointed to visit and investigate the concerns of the agricultural farm, which was ordered printed for information.

Senate bill No. 322, entitled "An act relating to stenographers for certain criminal courts," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Saltonstall, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—24.

NOES—Senators Hazell and Ryors—2.

ABSENT—Senators Jacobs, Johnson of Montgomery, Parcher, Seabourn and Smith—5.

ABSENT WITH LEAVE—Senators Johnson of Madison, Mansfield and Proctor—3.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

NOES—Senators Hazell and Ryors—2.

ABSENT—Senators Jacobs and Seabourn—2.

ABSENT WITH LEAVE—Senators Johnson of Madison, Mansfield and Proctor—3.

SICK—Senator Parcher.

The title was read and agreed to:

Senator Moran moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Hunter moved to reconsider the vote by which Senate bill No. 270 failed to pass. The motion was agreed to.

Senate bill No. 270, entitled "An act to amend an act entitled 'An act to repeal section 7125, article 1, chapter 150 of the Revised Statutes of Missouri, 1879, entitled 'Of schools,' and to insert in lieu thereof a new section,'" failed to pass by the following vote:

AYES—Senators Ball, Gideon, Hunter, Jacobs, McGinnis, Proctor, Ryors, Sebree, Sheldon, Smith, Taggart Webster and Wood—13.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Harmon, Hazell, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Saltonstall, Sears, Simrall and Sparks—15.

ABSENT—Senators Downing, Moran, Parcher and Seabourn—4.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

Senator Seabourn reported sick.

Senator Harmon called up the special order, Senate bill No. 293.

Senator Downing moved to make Senate bill No. 293 the special order for Wednesday at 2 o'clock P. M. The motion was lost by the following vote:

AYES—Senators Ball, Davisson, Downing, Gideon, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Parcher, Proctor, Ryors, Sheldon, Smith and Webster—16.

NOES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Mackey, Moran, Saltonstall, Sears, Sebree, Simrall, Sparks, Taggart and Wood—15.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

SICK—Senator Seabourn.

Senator Hazell then moved the previous question, which was carried.

Senate bill No. 293, entitled "An act to prevent extortion, unjust discrimination and pooling by railroad corporations; to increase the powers and enlarge the duties of the Railroad Commissioners, and to repeal sections 833, 834 and 842 of the Revised Statutes of 1879, and other acts inconsistent with the provisions of this act," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Gideon, Harmon, Hazell, Jacobs, Johnson of Montgomery, Mackey, Moran, Saltonstall, Sears, Sebree, Simrall, Sparks, Taggart and Wood—18.

NOES—Senators Davisson, Downing, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Parcher, Proctor, Ryors, Sheldon, Smith and Webster—13.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

SICK—Senator Seabourn.

Senator Harmon offered the following substitute for the title, which was read and agreed to:

An act to regulate railroad corporations; to prevent extortions and unjust discriminations in the transportation of freights on railroads in this State, and to provide a mode of procedure and rules of evidence in relation thereto; to prevent pooling; to increase the powers and duties of the Railroad Commissioners, and to repeal sections 833, 834 and 842 of the Revised Statutes of Missouri of 1879.

The title, as amended, was agreed to.

Senator Harmon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion being first in order, was not agreed to by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Mackey, Moran, Proctor, Saltonstall, Sears, Sebree, Sparks, Taggart and Wood—15.

NOES—Senators Ball, Downing, Gideon, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Parcher, Ryors, Sheldon, Simrall, Smith and Webster—15.

ABSENT—Senator Davisson.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

SICK—Senator Seabourn.

Senator Ball moved that the question of reconsideration of vote by which the bill passed be postponed until next Wednesday at 2 o'clock. The motion was agreed to by the following vote:

AYES—Senators Ball, Davisson, Downing, Gideon, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Parcher, Proctor, Ryors, Sheldon, Simrall, Smith and Webster—17.

NOES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Mackey, Moran, Saltonstall, Sears, Sebree, Sparks, Taggart and Wood.—14.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

SICK—Senator Seabourn.

Senate bill No. 295, entitled "An act to amend section 5436 of chapter 98, Revised Statutes, 1879, entitled 'Of dramshops,' and to repeal section 5442 of said chapter, as amended by an act, entitled 'An act to amend sections 5438, 5440, 5441, 5442, 5456, 5464; to repeal section 5462 of chapter 98, and adding three new sections thereto, entitled 'Of dramshops,' approved March 24, 1883, and enact a new section in lieu thereof, to be known as section 5442, and add two new sections," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum Mackey, Moran, Sears, Sebree, Sheldon, Simrall, Smith, Taggart, Webster and Wood—25.

NO—Senator Sparks.

ABSENT—Senators McGinnis, Parcher, Proctor, Ryors and Saltonstall—5.

ABSENT WITH LEAVE—Senators Johnson of Madison, Mansfield and Seabourn—3.

The emergency clause failed to pass by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Jacobs, Kelly, Kerwin, Ketchum, Mackey, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—22.

NOES—Senators Moran, Proctor and Saltonstall—3.

ABSENT—Senators Davisson, Harmon, Johnson of Montgomery, McGinnis, Parcher and Ryors—6.

ABSENT WITH LEAVE—Senators Johnson of Madison, Mansfield and Seabourn—3.

Senator Downing offered the following amendment to the title, which was read and agreed to:

"An act to repeal section 5442 of said chapter, as amended by an act entitled 'An act to amend sections 5438, 5440, 5441, 5442, 5456, 5464; to repeal section 5462 of chapter 98, and adding three new sections thereto, entitled 'Of dramshops,' approved March 24, 1883, and enact a

new section in lieu thereof, to be known as section 5442, and add two new sections.'"

The title, as amended, was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The chair ruled that the motion to make the reconsideration of Senate bill No. 293 a special order for Wednesday at 2 o'clock was lost, as a two-third vote was required.

The question recurring upon the motion of Senator Harmon to reconsider the vote by which the bill passed, the motion was lost by the following vote:

AYES—Senators Davisson, Downing, Gideon, Kelly, Kerwin, Ketchum, Proctor, Sheldon, Smith and Webster—10.

NOES—Allen, Castleman, Claycomb, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, McGinnis, Mackey, Moran, Saltonstall, Sears, Sebree, Simrall, Sparks, Taggart and Wood—18.

ABSENT—Senators Ball, Parcher and Ryors—3.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

SICK—Senator Seabourn.

Senate bill No. 202, entitled "An act to prohibit the sale of intoxicating liquors within (3) three miles of the Avalon College, situated in Livingston county, Missouri," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Mackey, Proctor, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—20.

NOES—Senators Claycomb, Downing, Kerwin, Ketchum, McGinnis, Moran and Saltonstall—7.

ABSENT—Senators Davisson, Parcher, Ryors and Webster—4.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

SICK—Senator Seabourn.

The title was read and agreed to.

Senator Jacobs was reported sick.

House bill No. 61, entitled, "An act to repeal an act entitled 'An act to amend section 1147 of article IV. of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885,' and to enact a new section in lieu thereof," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Saltonstall, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—24.

ABSENT—Senators Davisson, Moran, Parcher, Ryors and Sebree—5.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

SICK—Senators Jacobs and Seabourn—2.

The title was read and agreed to.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 351, entitled "An act to authorize the probate judge of New Madrid county to appoint a clerk of said court and prescribe his duties and compensation," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment.

• Amend Senate bill No. 351 by adding the following section thereto: Section 3. This act shall only be in effect during the present term in office of the probate judge of said county of New Madrid.

The amendment was read first and second times and agreed to.

Senator Ketchum submitted the following report from the Committee on State and Swamp Lands, which was read :

MR. PRESIDENT: Your Committee on State and Swamp Lands to whom was referred Senate bill No. 352, entitled "An act to facilitate the drainage and reclamation of swamp and overflowed lands," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 336, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Courts and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senators Moran, Parcher and Ryors—3.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

SICK—Senators Jacobs and Seabourn—2.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 300, entitled "An act to amend section 5560 of chapter 101 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of elections,'" was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Saltonstall, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—23.

ABSENT—Senators Claycomb, Kelly, Moran, Parcher, Proctor, Ryors and Sears—7.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison and Mansfield—3.

SICK—Senator Seabourn.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Davisson moved to reconsider the vote by which House bill No. 129 failed to pass, which was not agreed to by the following vote :

AYES—Senators Davisson, Gideon, Hunter, Ketchum, Proctor, Sears and Sheldon—7.

NOES—Senators Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Saltonstall, Sebree, Simrall, Smith, Sparks, Taggart, Webster and Wood—16.

ABSENT—Senators Allen, Ball, Downing, Kelley, Moran, Parcher, and Ryors—7.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison and Mansfield—3.

SICK—Senator Seabourn.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 100, entitled "An act to amend an act entitled 'An act to amend section 5459 of chapter 98, Revised Statutes of 1879, entitled 'Of dramshops,' approved March 17, 1885 ;"

Also, Senate bill No. 78, entitled "An act to amend section 2 of an act entitled an act 'Druggists—intoxicating liquors,' approved March 29, 1883."

Senator Wood submitted the following report from the Committee on State University, Public and Normal School Education, which was read :

MR. PRESIDENT: Your Committee on University, Public and Nor-

mal School Education, to whom was referred House bill No. 291, entitled "An act to amend article 3, chapter 150 of the Revised Statutes of Missouri, entitled 'Of Normal schools,' by adding a new section thereto, to be known as section 7179a," beg leave to report that they have carefully examined the same and recommend that it do pass with the following amendment:

Senate amendment to Hoase bill No. 291 was laid over until to-morrow.

The President *pro tem.* announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 13, entitled "An act to amend section 1205 of the Revised Statutes of Missouri of 1879;"

Also, Senate bill No. 26, entitled "An act entitled an act to amend an act entitled 'A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of the pure dairy products;'"

Also, Senate bill No. 34, entitled "An act to amend section 1326 of the Revised Statutes of the State of Missouri of 1879;"

Also, Senate bill No. 132, entitled "An act to pay to the county of Livingston school moneys improperly withheld from it for the year 1879," and announced upon the reading of each bill that unless objection be heard he would sign the same to the end that it become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, at the completion of the reading of each bill, affixed his signature thereto. The bills were then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

On motion of Senator Mackey, the Senate adjourned until 9:30 o'clock to-morrow morning.

FORTY-SIXTH DAY—TUESDAY, March 8, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Allen introduced Senate bill No. 353, entitled "An act to authorize county courts in counties now containing or that may hereafter contain 75,000 inhabitants or more, to purchase land, locate, build and maintain an insane asylum ; also, to prescribe rules for the government thereof, to appoint officers and attendants and prescribe their duties and fix their compensation," which was read first time, rules suspended and bill ordered not printed.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read :

MR. PRESIDENT : Your Committee on Judiciary, to whom was referred House bill No. 89, entitled "An act to amend section 1 of 'An act to amend section 3311 of chapter 52 of Revised Statutes, 1879, of Missouri, entitled 'Of mortgages and deeds of trust,' approved March 26, 1881,' " beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT : Your Committee on Judiciary, to whom was referred House bill No. 166, entitled "An act to repeal section 2305 of the Revised Statutes of Missouri, 1879, and to enact a new section in the place thereof, to be numbered 2305," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT : Your Committee on Judiciary, to whom was referred Senate bill No. 341, entitled "An act as to terms of probate court in more than one place in certain counties, and as to appointment of clerks for the probate court in any county where terms of the probate court may be held in more than one place in such county," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT : Your Committee on Judiciary, to whom was referred House bill No. 155, entitled "An act to amend 3705, article 10, chapter 59, entitled 'Of practice in civil cases,' " beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Claycomb submitted the following report from the Committee on Labor, Mines and Manufactories, which was read :

MR. PRESIDENT : Your Committee on Labor, Mines and Manufactories, to whom was referred House bill No. 345, entitled "An act to repeal section 926, chapter 21, article 8 of the Revised Statutes of the State of Missouri and to enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 346, entitled "An act to prevent the repetition of crime, and to provide punishment therefor," was read second time and referred to Committee on Criminal Jurisprudence.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 352, entitled "An act to facilitate the drainage and reclamation of swamp and overflowed lands ;"

Also, Senate bill No. 351, entitled "An act to authorize the probate judge of New Madrid county to appoint a clerk of said court, and prescribe his duties and compensation."

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read :

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 327, entitled "An act to amend section 1 of an act entitled 'An act to authorize any city containing more than twenty thousand and less than two hundred and fifty thousand inhabitants, existing by virtue of special or local laws, to extend its limits and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained,' approved March 11, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 327, entitled "An act to amend section one of an act entitled 'An act to authorize any city containing more than twenty thousand and less than two hundred and fifty thousand inhabitants, existing by virtue of special or local laws, to extend its limits and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained,' approved March 11, 1885," was ordered engrossed and printed.

Senator Harmon moved to reconsider the vote by which Senate bill No. 181 failed to pass. The motion was agreed to.

House bill No. 181, entitled "An act exempting superintendents of county poor houses from jury duty by amending an act entitled 'An act exempting certain bank officials from jury duty, by amending section 2779, chapter 43 of the Revised Statutes, 1879, entitled 'Of grand and petit jurors,' approved April 2, 1885,'" was read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Davisson, Downing, Harmon, Hazell, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Moran, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks and Wood—20.

NOES—Senators Claycomb, Gideon, Parcher, Ryors and Taggart—5.

ABSENT—Senators Ball, Hunter, Jacobs, Johnson of Madison, Kelly, Proctor, Smith and Webster—8.

ABSENT WITH LEAVE—Senator Mansfield.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Smith granted leave of absence for to-day.

Senate bill No. 98, entitled "An act to amend section one of an act entitled 'An act to amend article 2, entitled 'Railroad companies,' of Revised Statutes of 1879, by adding two new sections thereto, approved March 31, 1885, and to add a new section thereto, to be known as section three," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Claycomb, Gideon, Hazell, Saltonstall, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Webster—12.

NOES—Senators Castleman, Davisson, Downing, Harmon, Hunter, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Seabourn, Smith and Wood—16.

ABSENT—Senators Ball, Johnson of Montgomery and Kelly—3.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison and Mansfield—3.

Senate bill No. 337, entitled "An act to authorize county courts to assist in the formation and support of law libraries," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Castleman, Davisson, Downing, Gideon, Harmon, Hunter, Kerwin, Ketchum, McGinnis, Moran, Proctor, Ryors, Sheldon and Wood—15.

NOES—Senators Claycomb, Hazell, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Seabourn, Sebree, Simrall, Smith, Sparks, Taggart and Webster—13.

ABSENT—Senators Ball, Kelly and Sears—3.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison and Mansfield—3.

Senate bill No. 153, entitled "An act entitled 'An act to create a lien on railroad companies and to provide for the enforcement of the same,'" was read third time and failed to pass by the following vote:

AYES—Senators Allen, Harmon, Hazell, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Seabourn, Sears, Sebree, Sparks and Taggart—14.

NOES—Senators Castleman, Claycomb, Downing, Gideon, Hun-

ter, Johnson of Montgomery, Ryors, Saltonstall, Sheldon, Simrall, Smith and Webster—12.

ABSENT—Senators Ball, Davisson, Kelly, Moran and Wood—5.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison and Mansfield—3.

Senator Downing moved to reconsider the vote by which House bill No. 26 failed to pass. The motion was agreed to.

House bill No. 26, entitled "An act limiting the time for the institution of suits for dower in real estate," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Gideon, Harmon, Hazell, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Sears, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—22.

NOES—Senators Claycomb, Hunter, Ryors, Saltonstall, Seabourn, Sebree and Smith—7.

ABSENT—Senators Davisson and Kelly—2.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison and Mansfield—3.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The special order, Senate bill No. 280, entitled "An act to authorize railroad companies to use in common railroad tracks in cities of over forty thousand inhabitants, and providing for the appointment, and prescribing the powers and duties of a terminal superintendent of such tracks, and the mode and manner in which a railroad company may acquire an easement over such tracks, and the compensation to be paid therefor," was taken up.

Senator Ryors moved the previous question, which was agreed to.

The bill was then read third time, and failed to pass by the following vote:

AYES—Senators Claycomb, Harmon, Hazell, Hunter, Johnson of Montgomery, McGinnis, Mackey, Moran, Parcher, Saltonstall, Sebree, Simrall, Taggart and Wood—14.

NOES—Senators Allen, Castleman, Downing, Gideon, Kerwin, Ketchum, Proctor, Ryors, Seabourn, Sheldon, Smith, Sparks and Webster—13.

ABSENT—Senators Ball, Davisson, Jacobs, Kelly and Sears—5.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

Senate bill No. 316 was laid over informally.

Senate bill No. 315, entitled "An act to prevent any clerk of any court or any officer of any court from buying fees," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Ryors, Saltonstall, Sebree, Sparks, Taggart and Wood—19.

NOES—Senators Gideon, Hunter, Parcher, Seabourn, Simrall and Smith—6.

ABSENT—Senators Davisson, Kelly, Moran, Sears, Sheldon and Webster—6.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison and Mansfield—3.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 311 was laid over informally.

Senator Sears was reported sick.

Senate bill No. 171, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, by adding a new section thereto, to be known as section 12a," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Ketchum, McGinnis, Mackey, Parcher, Proctor, Seabourn, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—22.

NOES—Senators Claycomb, Saltonstall and Sparks—3.

ABSENT—Senators Davisson, Kelly, Kerwin, Moran, Ryors and Webster—6.

ABSENT ON LEAVE—Senators Johnson of Madison and Mansfield—2.

SICK—Senator Sears.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—26.

ABSENT—Senators Davisson, Kelly, Moran, Ryors and Webster—5.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

SICK—Senator Sears.

The title was read and agreed to.

Senator Simrall moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 318, entitled "An act to transfer to the school fund in each of the counties in this State taxes and penalties paid into the county treasury upon land sold for non-payment of taxes for which certificates of purchase are issued and redeemed in two years after the sale thereof, and to provide a limitation for the non-claim of the party entitled thereto," was indefinitely postponed.

Senator Allen submitted the following report from the Committee on Corporations other than Railroad and Insurance Companies, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 285, entitled "An act to repeal article 4 of chapter 89 of the Revised Statutes of Missouri of 1879, with all amendments thereof, said article being entitled 'Cities of the third class,' and to enact in lieu thereof a new article, providing for the government of cities of the third class," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments.

Amend section 47 by striking out in 8th line of said section, printed bill, the words: "four thousand eight hundred and eighty," and insert in lieu thereof the words "fifty-seven."

Amend section 80 of said bill by striking out in fourth line of section 80, printed bill, the words "four thousand nine hundred and two," and insert in lieu thereof the words "seventy-seven."

The amendment was read first and second times and agreed to.

Amend section 107 by adding the following words after the word "railroad" at the close of said section, the words: "and the city council shall pass suitable ordinances providing the manner and way of ascertaining said damages."

The amendment was read first and second times and agreed to.

Amend House bill No. 285, by inserting the words "railroads or," after the word "construct" before the word "street," in the third line of section 107.

The amendment was read first and second times and agreed to.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred substitute for Senate bill No. 286, entitled "An act to prevent any teacher of any public school in this State from teaching any language other than the English language, under the provisions

of article 1, chapter 150, Revised Statutes of Missouri of 1879, except in counties having a population of one hundred thousand inhabitants or more, and in the city of St. Louis," beg leave to report that they have carefully compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator Gideon, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Downing moved to reconsider the vote by which House bill No. 61 passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 311, entitled "An act to provide for the election or appointment of sheriff in any county whenever any vacancy may occur nine months prior to the holding of a general election," was read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—24.

ABSENT—Senators Ball, Jacobs, Kelly, Mackey, Moran, Parcher, Proctor and Ryors—7.

ABSENT WITH LEAVE—Senators Johnson of Madison, and Mansfield—2.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—24.

ABSENT—Senators Ball, Kelly, Mackey, Moran, Parcher, Proctor and Ryors—7.

ABSENT WITH LEAVE—Senators Jacobs, Johnson of Madison and Mansfield—3.

The title was read and agreed to.

Senator Smith moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 316, entitled "An act to provide for the *per diem*

compensation of the Speaker of the House of Representatives as such," was taken up and read third time.

Senator Castleman moved to reconsider the vote by which the bill was ordered to third reading. The motion was agreed to.

Senator Castleman moved to reconsider the vote by which the bill was ordered engrossed and printed. The motion was agreed to.

The rules were suspended, and House bill No. 285, entitled "An act to repeal article 4 of chapter 89 of the Revised Statutes of Missouri of 1879, with all amendments thereof, said article being entitled 'Cities of the third class,' and to enact in lieu thereof a new article, providing for the government of cities of the third class," was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Ball, Hazell, Parcher and Proctor—4.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT—Senators Ball, Parcher and Proctor—3.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Wood moved to reconsider the vote by which substitute for House bill No. 28 passed, and to lay that motion on the table. The latter motion prevailed.

Senator Wood moved to reconsider the vote by which House bill No. 96 passed, and to lay that motion on the table. The latter motion prevailed.

Senator Jacobs moved to reconsider the vote by which House bill No. 202 passed, and to lay that motion on the table. The latter motion prevailed.

Senator Castleman moved to reconsider the vote by which Senate bill No. 337 failed to pass. The motion was agreed to.

Senate bill No. 337, entitled "An act to authorize county courts to assist in the formation and support of law libraries," was read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Ryors, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

NO—Senator Saltonstall.

ABSENT—Senators Parcher, Proctor and Sheldon—3.

ABSENT WITH LEAVE—Senators Ball, Johnson of Madison and Mansfield—3.

The title was read and agreed to.

Senator Moran moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Castleman offered the following amendments to Senate bill No. 316 :

Amendment No. 1. Strike out the words "each General Assembly," in the first line of printed bill, and insert in lieu thereof the words "the House of Representatives."

The amendment was read first and second times and agreed to.

No. 2. Strike out the words "for the first seventy days of each session, and after that the sum of two dollars *per diem*," and insert in lieu thereof the following words : "during each session."

The amendment was read first and second times and agreed to.

The bill, as amended, was ordered engrossed and printed.

The following Senate amendment to House bill No. 291 was taken up :

Amend House bill No. 291 by striking out all that part of section 1 between the word "duty," in line 12, and the word "the," in line 18, of the printed bill.

Senator Hunter offered the following substitute for the above amendment :

Substitute for amendment: Amend printed bill by striking out the word "four," in 15th line of printed bill, and inserting the word "two."

The substitute was not agreed to.

The question recurring on the amendment, it was not agreed to.

The following communication was received from the House of Representatives, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House,

House bill No. 300, entitled "An act to repeal an act entitled 'An act to incorporate the town of Brunswick,' approved January 26, 1847; also, to repeal an act entitled an act to amend an act entitled 'An act to incorporate the town of Brunswick,'" approved January 26, 1847, approved February 28, 1851, and also, to repeal an act entitled 'An act amendatory of an act entitled 'An act amendatory of an act entitled an act to incorporate the town of Brunswick,' approved March 7, 1870; and also, to repeal an act entitled 'An act to amend an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 1, 1871; and also, to repeal an act entitled 'An act amendatory of and supplementary to an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 28, 1872; and also, to repeal an act entitled 'An act supplementary to and amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 30, 1872;'"

Also, House bill No. 384, "An act to amend an act entitled 'An act to authorize the appointment of assistant prosecuting attorneys in counties containing seventy-five thousand inhabitants or more, prescribing their duties and providing for their compensation,' approved March 31, 1883;'"

Also, House bill No. 420, "An act to amend an act entitled 'An act to amend section 5632 of the Revised Statutes relating to fees,' approved March 23, 1881;'"

Also, House bill No. 716, "An act to amend an act entitled 'An act to amend section one thousand one hundred and forty-eight of the Revised Statutes of the State of Missouri, in relation to courts of record,' approved February 19, 1885," in which the concurrence of the Senate is respectfully requested.

House bill No. 291, entitled "An act to amend article 3, chapter 150 of the Revised Statutes of Missouri, entitled 'Of Normal schools,' by adding a new section thereto, to be numbered section 7179a," was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Parcher, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks and Taggart—24.

NOES—Senators Claycomb, Davisson, Mackey, Webster and Wood—5.

ABSENT—Senators Ball, Moran and Proctor—3.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 305, entitled "An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Saltonstall, Seabourn, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—25.

ABSENT—Senators Johnson of Montgomery, Moran, Parcher, Ryors, Sears, Sebree and Webster—7.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 339, entitled "An act to amend an act entitled 'An act to amend an act entitled an act to amend section 1155, article 4, chapter 23 of the Revised Statutes of Missouri, entitled 'Circuit courts,' approved March 18, 1885,'" was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Ryors, Saltonstall, Seabourn, Sheldon, Simrall, Smith, Sparks and Wood—25.

ABSENT—Senators Johnson of Montgomery, Moran, Parcher, Sears, Sebree, Taggart and Webster—7.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

The title was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 296, entitled "An act to repeal an act entitled 'An act to amend section five hundred and thirteen of the Revised Statutes of 1879, relating to prosecuting and circuit attorneys,' approved March 19, 1881, and enact a new section in lieu thereof," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Kelly, Kerwin, Ketchum,

McGinnis, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—27.

ABSENT—Senators Harmon, Johnson of Montgomery, Moran, Sebree and Webster—5.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 338, entitled "An act to amend section 7037 of article 1, chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of schools,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Kerwin, Ketchum, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—25.

NO—Senator McGinnis.

ABSENT—Senators Harmon, Johnson of Montgomery, Kelly, Moran, Sebree and Webster—6.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

The title was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senate bill No. 279, entitled "An act to amend section 832 of chapter 21 of the Revised Statutes of 1879, entitled 'Railroad classification—charges—commissioners,'" was read third time and failed to pass by the following vote:

AYES—Senators Claycomb, Gideon, Hazell, Johnson of Montgomery, Parcher, Saltonstall, Sears, Sebree, Sheldon and Taggart—10.

NOES—Senators Allen, Ball, Castleman, Davisson, Downing, Harmon, Hunter, Jacobs, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Seabourn, Simrall, Smith, Sparks and Wood—20.

ABSENT—Senators Kelly and Webster—2.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

Substitute for Senate bill No. 286, entitled "An act to prevent any teacher of any public school in this State from teaching any language other than the English language, under the provisions of article 1, chapter 150, Revised Statutes of Missouri of 1879, except in counties having a population of one hundred thousand inhabitants or more, and

in the city of St. Louis," was read third time and failed to pass by the following vote :

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—28.

ABSENT—Senators Kelly, Ketchum, Proctor and Webster—4.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

The following communication was received from the House of Representatives, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been taken up and passed by the House, Senate bill No. 235, entitled "An act to appropriate money for the improvement of the State capitol building," with an emergency clause, which was adopted.

Senate bill No. 189 was indefinitely postponed.

Senator Smith submitted the following report from the Committee on Penitentiary, which was read :

MR. PRESIDENT: Your Committee on Penitentiary and Public Buildings, to whom was referred Senate bill No. 313, entitled "An act enabling the State to light its public buildings and grounds, located at the city of Jefferson, with electric lights," beg leave to report that they have considered the same and have instructed me to report the same back to the Senate with the accompanying substitute, with the recommendation that the substitute do pass.

The substitute was read first and second times and agreed to.

The rules were suspended and the substitute was ordered engrossed and printed.

Senate bill No. 170, entitled "An act to repeal sections 7081, 7083, 7084, 7085 and 7086, article 1, chapter 150 of the Revised Statutes of the State of Missouri, 'Of schools;' also, to repeal an act entitled 'An act to amend section 7082, article 1, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools,' approved April 2, 1883, and to enact the following sections in lieu thereof, to be numbered 7081, 7082, 7083, 7084, 7085 and 7086, relating to the election, duties and compensation of a county superintendent of public schools," was read third time and failed to pass by the following vote :

AYES—Senators Allen, Ball, Castleman, Gideon, Hazell, Jacobs, Proctor, Sears, Sebree, Sheldon, Smith, Webster and Wood—13.

NOES—Senators Claycomb, Davisson, Downing, Hunter, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Seabourn, Simrall, Sparks and Taggart—14.

ABSENT—Senators Harmon, Johnson of Montgomery, Kelly, Ryors and Saltonstall—5.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

Senator Wood moved to reconsider the vote by which substitute for Senate bill No. 11 failed to pass. The motion was read and agreed to.

Senate bill No. 11, entitled "An act to prohibit the employment of children in mills, mines, factories or workshops in this State under the age of fourteen years," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Moran, Seabourn, Sears, Sebree, Smith, Sparks, Taggart, Webster and Wood—23.

NOES—Senators Hazell, Hunter, Parcher, Sheldon and Simrall—5.

ABSENT—Senators Kelly, Proctor, Ryors and Saltonstall—4.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield—2.

Senator Davisson offered the following amendment to the title, which was read and agreed to :

Amend title of Senate bill No. 11, by striking out the word "fourteen," and inserting in lieu thereof the word "twelve."

The title, as amended, was read and agreed to.

Senator Davisson moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 290, entitled "An act to prevent any person from coming into this State, whether operating under the head of a detective force or agency or not, without a requisition, and to arrest, detain or imprison any person without legal authority, and to prevent corporations from employing a detective or armed force from guarding corporate property, unless such force is under the immediate control of the sheriff or other officer authorized to make arrests and protect such property," was read third time and failed to pass by the following vote:

AYES—Senators Claycomb, Davisson, Gideon, Johnson of Montgomery, Ketchum, Parcher, Seabourn, Sears and Wood—9.

NOES—Senators Allen, Ball, Castleman, Downing, Harmon, Hunter, Jacobs, Kerwin, McGinnis, Mackey, Moran, Proctor, Saltonstall, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—20.

ABSENT—Senators Hazell, Kelly and Ryors—3.

ABSENT WITH LEAVE—Senators Johnson of Madison and Mansfield
—2.

The rules were suspended and Senate bill No. 341, entitled "An act as to terms of probate court in more than one place in certain counties, and as to appointment of clerks for the probate court in any county where terms of the probate court may be held in more than one place in such county," was ordered engrossed and printed.

Senator Castleman submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance, to whom was referred substitute for House bill No. 47, entitled "An act to amend section 6060 of article 5 of chapter 119 of the Revised Statutes of Missouri, entitled 'Of insurance,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 347, entitled "An act to authorize the location of county seats in counties where the seat of justice shall have been destroyed by the caving of river banks ;"

Also, substitute for Senate bill No. 31, entitled "An act to repeal section 6013 of Revised Statutes of the State of Missouri of 1879, and to repeal an act entitled 'An act to amend section 6013, article 4 of the Revised Statutes of Missouri of 1879, entitled 'General provisions,' relating to insurance and service of legal process thereon, approved March 24, 1885,' and to enact a new law in lieu thereof, to be known as sections 6013, 6013*a*, 6013*b*, concerning suits against insurance, fidelity, trust and guaranty companies not organized under the laws of this State, but doing, or which shall hereafter do or desire to do business therein, and providing for services of process, writs and notices in suits against such companies in suits within this State," beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The following House bills were read first time :

House bill No. 716, entitled "An act to amend an act entitled 'An act to amend section one thousand one hundred and forty-eight of the Revised Statutes of the State of Missouri, in relation to courts of record,' approved February 19, 1885 ;"

Also, House bill No. 420, entitled "An act to amend an act entitled 'An act to amend section 5632 of the Revised Statutes, relating to fees,' approved March 23, 1881 ;"

Also, House bill No. 300, entitled "An act to repeal an act entitled 'An act to incorporate the town of Brunswick,' approved January 26, 1847; also, to repeal an act entitled 'An act to amend an act entitled 'An act to incorporate the town of Brunswick,' approved January 26, 1847, approved February 28, 1851; and also to repeal an act entitled 'An act amendatory of an act entitled 'An act amendatory of an act entitled an act to incorporate the town of Brunswick,' approved March 7, 1870; and also, to repeal an act entitled 'An act to amend an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 1, 1871; and also, to repeal an act entitled 'An act amendatory of and supplementary to an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1872, approved March 28, 1872; and also, to repeal an act entitled 'An act supplementary to and amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 30, 1872;'

Also, House bill No. 384, entitled "An act to amend an act entitled 'An act to authorize the appointment of assistant prosecuting attorneys in counties containing seventy-five thousand inhabitants or more, prescribing their duties and providing for their compensation,' approved March 31, 1883."

On motion of Senator McGinnis, the Senate adjourned.

FORTY-SEVENTH DAY—WEDNESDAY, March 9, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator McGinnis was reported sick.

Senate bill No. 353, entitled "An act to authorize county courts in counties now containing or that may hereafter contain 75,000 inhabi-

tants or more, to purchase lands, locate, build and maintain an insane asylum, etc.," was read second time and referred to Committee on Corporations other than Railroads and Insurance.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read :

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 353, entitled "An act to authorize county courts in counties now containing or that may hereafter contain 75,000 inhabitants or more, to purchase land, locate, build and maintain an insane asylum; also, to prescribe rules for the government thereof, to appoint officers and attendants, and prescribe their duties and fix their compensation," beg leave to report that they have carefully examined the same and recommend that it do pass.

The rules were suspended and the above bill, No. 353, was ordered engrossed and printed.

The following House bills were read second time and referred to committees, as follows :

House bill No. 300, entitled "An act to repeal an act entitled 'An act to incorporate the town of Brunswick,' approved January 26, 1847; also, to repeal an an act entitled 'An act to amend an act entitled 'An act to incorporate the town of Brunswick,' approved January 26, 1847, approved February 28, 1851, and also to repeal an act entitled 'An act amendatory of an act entitled 'An act amendatory of an act entitled an act to incorporate the town of Brunswick,' approved March 7, 1870; and also, to repeal an act entitled 'An act to amend an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 1, 1871; and also, to repeal an act entitled 'An act amendatory of and supplementary to an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 28, 1872; and also, to repeal an act entitled 'An act supplementary to an amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1880, approved March 30, 1872,'" to Committee on Corporations other than Railroads and Insurance.

House bill No. 384, entitled "An act to amend an act entitled 'An act to authorize the appointment of assistant prosecuting attorneys in counties containing seventy-five thousand inhabitants or more, prescribing their duties and providing for their compensation,' approved March 31, 1883," to Committee on Judiciary.

House bill No. 420, entitled "An act to amend an act entitled 'An act to amend section 5632 of the Revised Statutes, relating to fees,' approved March 23, 1881," to Committee on Judiciary.

House bill No. 716, entitled "An act to amend an act entitled 'An act to amend section one thousand one hundred and forty-eight of the Revised Statutes of the State of Missouri, in relation to courts of record,' approved February 19, 1885," to Committee on Judiciary.

The following House amendments to Senate bill No. 5 were read:

Amendment No. 1. Amend section No. 1 of said bill by striking out the following words, to wit: "Third Mondays of May and November," found in the last line of said section, and insert in lieu thereof the following, to wit: "Fourth Mondays in March and September."

Amendment No. 2. Also further amend Senate bill No. 5 by striking out all of section three of said bill, the same being the emergency clause.

The amendments were not agreed to by the following vote:

NOES—Senators Allen, Castleman, Claycomb, Downing, Gideon, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Taggart and Wood—20.

ABSENT—Senators Ball, Davisson, Harmor, Hazell, Hunter, Jacobs, Kelly, Mackey, Moran, Ryors, Sparks and Webster—12.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

Senator Mackey was granted leave of absence for one day.

Senator Smith submitted the following report from the Committee on Penitentiary, which was read and adopted:

MR. PRESIDENT: Your Committee on Penitentiary take pleasure in submitting the following report of the condition of the State penitentiary:

That we believe that the appropriation made two years ago for the support and maintenance of that institution has been wisely and judiciously expended.

That the condition of the convicts is the very best possible that could be obtained under the circumstances; that the discipline is fine; that there are no complaints whatever of mismanagement or mistreatment, and that upon personal inquiry, the convicts are unanimous in speaking of the kind and humane conduct of the Warden and his employes towards them in every respect. In short, this State institution shows every evidence of care, judgment and fine ability in its entire management, and that the State should congratulate itself in being so fortunate in securing the services of so honest and conscientious a man as the present Warden, Darwin W. Marmaduke.

And after a close and candid examination of all the cell buildings, dining room, chapel, commissary, manufactories, and all improvements

made within the last two years, we are of the opinion that the State can make no mistake in granting the sum asked for to complete and perfect the institution.

If the past be any guide, and it is, the money will be wisely and honestly used, and to the best advantage. We therefore recommend that the appropriation be full for all the items mentioned and called for by the Warden.

This we do in behalf of a good and faithful servant of the people, and the same is the unanimous report of your committee.

Substitute for Senate bill No. 32, entitled "An act to repeal section 6013 of Revised Statutes of the State of Missouri of 1879, and to repeal an act entitled 'An act to amend section 6013, article 4 of the Revised Statutes of Missouri of 1879, entitled 'General provisions,' relating to insurance and service of legal process thereon, approved March 24, 1885, and to enact a new law in lieu thereof, to be known as sections 6013, 6013*a* and 6013*b*, concerning suits against insurance, fidelity, trust and guaranty companies not organized under the laws of this State, but doing, or which shall hereafter do or desire to do business therein, and providing for services of process, writs and notices in suits against such companies in suits within this State," was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senators Ball, Harmon, Jacobs, Kelly and Moran—5.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Johnson of Montgomery moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 347, entitled "An act to authorize the location of county seats in counties where the seat of justice shall have been destroyed by the caving of river banks," was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senators Ball, Jacobs, Kelly, Moran and Parcher—5.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Hunter moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 238, entitled "An act to amend section 1268 of article 2 of chapter 24 of the Revised Statutes of the State of Missouri of 1879," was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Ball, Jacobs, Kelly and Moran—4.

ABSENT ON LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The special order was called up, the same being substitute for Senate bills Nos. 108, 127 and 128, entitled "An act relating to husband and wife, and defining their civil rights and liabilities," was read third time and failed to pass by the following vote:

AYES—Senators Hazell, Ryors, Seabourn and Sears—4.

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Ketchum, Mackey, Parcher, Proctor, Saltonstall, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—24.

ABSENT—Senators Kelly, Kerwin, Moran and Webster—4.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

Senate bill No. 240, entitled "An act to repeal section No. 1147 of article 4 of chapter 23 of the Revised Statutes of Missouri, entitled 'Circuit courts,' and to enact a new section, to be numbered 1147, in lieu thereof," was indefinitely postponed.

Senate bill No. 273, entitled "An act to amend section 1253 of chapter 24, article 2 of the Revised Statutes of the State of Missouri, relating to offenses against the lives and persons of individuals," was indefinitely postponed.

Joint and concurrent resolution No. 2, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning the repeal of section twenty-four (24) of article XII. of the Constitution, and enacting a new section in lieu thereof, to be known as section twenty-four (24) of the Constitution, providing for free transportation over all of the railroads within the State of Missouri of members of the General Assembly of the State of Missouri, and of certain State officers of said State, and providing for the issuance of passes therefor, was indefinitely postponed.

Joint and concurrent resolution No. 4, submitting to the qualified voters of the State of Missouri an amendment to the Constitution thereof concerning the adoption of a general local option law, was indefinitely postponed.

Senate bill No. 172, entitled "An act of limitation of actions on dower and the assignment of dower," was indefinitely postponed.

Senate bill No. 120, entitled "An act in relation to marriage and marriage license," was indefinitely postponed.

Senate bill No. 245, entitled "An act to provide for the making, publication and distribution of a digest of the reports of the Supreme Court and of the courts of appeals of this State, and for the appropriation of money therefor," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Proctor, Ryors, Saltonstall, Sears, Sebree, Sheldon, Simrall and Smith—19.

NOES—Senators Castleman, Claycomb, Harmon, Hazell, Mackey, Parcher, Seabourn, Taggart, Webster and Wood—10.

ABSENT—Senators Kelly, Moran and Sparks—3.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following communication was received from the House of Representatives through its Chief Clerk, which was read :

MR PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 269, entitled "An act to amend section 7153, chapter 150, article 2 of the Revised Statutes of the State of Missouri, concerning city, town and village schools; "

Also, House bill No. 118, entitled "An act to amend section 3833,

chapter 62 of Revised Statutes of Missouri, entitled 'Of recorders of deeds.'"

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed the House, Senate bill No. 214, entitled "An act authorizing street railroad companies to change the motive power on their roads," with an emergency clause, which was agreed to.

Senate bill No. 10, entitled "An act to exempt certain corporations from the operation of the general insurance laws of the State of Missouri," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Mackey, Parcher, Proctor, Ryors, Saltonstall, Sebree, Smith, Taggart, Webster and Wood—21.

NOES—Senators Hazell, Seabourn, Sears, Sheldon and Simrall—5.

ABSENT—Senators Downing, Johnson of Madison, Kelly, Ketchum, Moran and Sparks—6.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Webster moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 20, entitled "An act to amend section 1234, article 2, chapter 24, Revised Statutes of 1879, entitled 'Offenses against the lives and persons of individuals,'" was read third time and passed by the following vote:

AYES—Senators Allen, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Kerwin, Ketchum, Mackey, Parcher, Proctor, Seabourn, Sears, Sheldon, Simrall, Smith, Taggart, Webster and Wood—21.

NOES—Senators Ball, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Ryors, Saltonstall, Sebree and Sparks—10.

ABSENT—Senators Kelly and Moran—2.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No.

285, entitled "An act to repeal article 4 of chapter 89 of the Revised Statutes of Missouri of 1879, with all amendments thereof, said article being entitled 'Cities of the third class,' and to enact in lieu thereof a new article, providing for the government of cities of the third class ;"

Also, House bill No. 51, entitled "An act to amend section 4010 of chapter 72 of the Revised Statutes of the State of Missouri, entitled 'Of witnesses.'"

Also, House bill No. 20, entitled "An act to amend section 1350, article 3, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure ;"

Also, House bill No. 198, entitled "An act to amend section 5022, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages ;"

Also, House bill No. 58, entitled "An act to amend section 2564 of chapter 37 of the Revised Statutes of 1879 of the State of Missouri, entitled 'Of guardians and curators ;"

Also, House bill No. 264, entitled "An act to amend section 1532, article 7, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure ;"

Also, House No. bill 11, entitled "An act making all contracts hereafter made limiting the time in which suit may be brought, null and void ;"

Also, House bill No. 74, entitled "An act to prevent diseased stock of any kind from running at large ;"

Also, House bill No. 188, entitled "An act to amend section 6789, chapter 145, article 4 of the Revised Statutes of the State of Missouri of 1879, relating to the settlement of collectors ;"

Also, substitute for House bill No. 172, entitled "An act to amend article 2 of chapter 46 of the Revised Statutes of the State of Missouri, relating to the construction of Statutes ;"

Also, House bill No. 65, entitled "An act to repeal section 384 of the Revised Statutes of Missouri of 1879, and enacting a new section in lieu thereof, to be known as section 384, relating to the appointment of assignees in cases of vacancy ;"

Also, House bill No. 248, entitled "An act to amend sections 6909 and 6910, article 11, chapter 145 of the Revised Statutes of 1879, relating to taxation of merchants and manufacturers, by inserting certain words therein, and by adding an additional clause to said section 6910."

The President announced on the reading of each of the above bills, that unless objection be made, he would sign the same to the end that they become laws. Each bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the

Senate, in open session, and no other business intervening, immediately upon the reading of each bill, affixed his signature thereto.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 235, entitled "An act to appropriate money for the improvement of the State capitol building," beg leave to report that they have carefully examined the same and find it truly enrolled.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 235, entitled "An act to appropriate money for the improvement of the State capitol building," and announced that unless objection be made he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented to the Governor for his approval.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 64, entitled "An act to amend section 1666 of article 9 of chapter 24 of the Revised Statutes of Missouri for 1879, in relation to crimes and criminal procedure, miscellaneous provisions and matters of practice," beg leave to report that they have carefully examined the same and recommend that it do pass with the following amendments:

Amend House bill No. 64 by inserting the following words between the words "words" and "and," in the fifth line of the printed bill, to wit: "and by adding at the end of said section the following words."

The amendment was read first and second times and agreed to.

Amend House bill No. 64 by adding a new section, to be known as section 1666a. "There being cases of convictions now pending in which the action of the Governor is sought, creates an emergency within the meaning of the Constitution; therefore, this act shall take effect and be in force from and after its passage."

The amendment was read first and second times and agreed to.

The rules were suspended for the purpose of putting the bill on third reading.

Senator Parcher offered the following amendment to the bill, which was read and not adopted :

Amend by striking out of the twenty-fourth line the word "two," and insert the word "ten."

Senator Sebree offered the following amendment to House bill No. 64, which was read and not adopted :

Amend House bill by striking out all except lines 20, 21, 22, 23 and 24, beginning with the word "and," in the 20th line.

The following communication was received from the House of Representatives through its Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been taken up and passed the House the following Senate concurrent resolution :

WHEREAS, There are a large number of Senate bills in the House, and a large number of House bills in the Senate ; therefore, be it

Resolved, That the Senate shall take up and consider every alternate day the House bills, and that the House shall every alternate day take up and consider Senate bills until the end of the session. The House is respectfully requested to agree and consent to this resolution, and that this shall be the standing order of business until the end of the session.

House bill No. 64, entitled "An act to amend section 1666 of article 9 of chapter 24 of the Revised Statutes of Missouri for 1879, in relation to crimes and criminal procedure, Miscellaneous provisions and matters of practice," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—25.

NOES—Senators Harmon and Ryors—2.

ABSENT—Senators Davisson, Downing, Kelly, Moran and Wood—5.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The emergency clause was adopted by the following vote :

AYES — Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—27.

NO—Senator Ryors.

ABSENT—Senators Downing, Kelly, Moran and Wood—4.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred substitute for Senate bill No. 313, entitled "An act enabling the State to light its public buildings and grounds, located at the City of Jefferson, with electric lights," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator Johnson of Montgomery, the Senate adjourned till 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Simrall moved that the protest presented by Senator Ryors against the passage of House bill No. 64, be attached to the bill and sent with the bill to the Governor. The motion was agreed to.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 230, entitled "An act to define a retail liquor dealer and create a special class of license, to be known as retail liquor dealer's license," beg leave to report that they have carefully examined the same and recommend that substitute do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 289, entitled "An act to prevent physicians, or pretended physicians, from issuing fraudulent prescriptions in this State," beg leave to report that they have carefully examined the same and recommend that it do pass with amendments.

Amend by striking out in fifth and sixth lines of said printed bill, the following words, to wit: "the true intent and meaning of this chapter," and inserting in lieu thereof the following words, viz.: "any existing law." Read first and second times and agreed to.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 303, entitled "An act to amend section 1326 of Revised Statutes of 1879, entitled 'Of embezzlement,'" beg

leave to report that they have carefully examined the same and recommend that it do not pass.

Senate bill No. 303 was indefinitely postponed.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 41, entitled "An act to create a commission to frame a criminal code for the State of Missouri, and to appropriate money therefor," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 42, entitled "An act to repeal sections Nos. 1917 and 1918 of article No. 18 of chapter No. 24 of the Revised Statutes of Missouri of A. D. 1879, entitled of 'Of crimes and criminal procedure,' and to enact a new section in lieu thereof, to be designated as section No. 1917," beg leave to report that they have carefully examined the same and recommend that it do pass with amendments.

Amend by striking out the words and figures "section No. 1917 and," in the first line of section 1 of printed bill, and by striking out the figures "1917," in the 6th line of printed bill, and substituting in lieu thereof the figures "1918," and by inserting between the words "accused" and "*Provided*," in the 10th line of printed bill, the following words: "but any such facts may be shown for the purpose of affecting the credibility of such witness," and by striking out the words "as to any matter referred to in his examination in chief," and by substituting in lieu thereof the following words: "the same as any other witness."

The amendment was read first and second times and agreed to.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 84, entitled "An act to provide for locating and erecting a State reformatory school for boys," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 141, entitled "An act to amend an act entitled 'Druggists—intoxicating liquors,' approved March 29, 1883, by adding a new section thereto relieving registered druggists from serving as jurors," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to

whom was referred House bill No. 161, entitled "An act to prevent and punish the sale of oleomargarine or butterine as butter, and to repeal an act entitled 'An act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of pure dairy products,' approved March 24, 1881," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 264, entitled "An act to amend section 6334, chapter 129 of the Revised Statutes of Missouri of 1879, and by adding a new section thereto, to be known as section 6341a," beg leave to report that they have carefully examined the same and recommend that it do not pass.

The above Senate bill, No. 264, was indefinitely postponed.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence to whom was referred Senate bill No. 283, entitled "An act to repeal sections one (1) and two (2) of an act approved February 27, 1885, entitled 'Of liens—oleomargarine,' and to enact a new section in lieu thereof, to be known as section 3199a," beg leave to report that they have carefully examined the same and recommend that it do not pass.

The bill was indefinitely postponed.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 317, entitled "An act to provide for the return of prisoners to the penitentiary convicted of violation of the condition of their pardon," beg leave to report that they have carefully examined the same and recommend that it do not pass.

The bill was indefinitely postponed.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 340, entitled "An act to amend sections 1375 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

The bill was indefinitely postponed.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 314, entitled "An act to prevent any person circulating petition for dramshop license from forging, procuring or allowing to be forged, any name or names thereon, and to prevent such license from being granted, and providing for appeal to circuit court," beg leave to report that they have carefully examined the same and recommend that the substitute do pass.

Substitute read first and second times and agreed to.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read :

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 551, entitled "An act to authorize the several counties of this State and the county seats thereof to erect, maintain and use court houses and jails jointly," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Moran introduced Senate bill No. 354, entitled "An act creating the office of marshal in counties having a population of 40,000 and over, and having a criminal court situate therein."

The bill was read first time, the rules suspended and the bill ordered not printed.

The rules were suspended and Senate bill No. 289, entitled "An act to prevent physicians, or pretended physicians, from issuing fraudulent prescriptions in this State," was ordered engrossed and printed.

Senate bill No. 53, entitled "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue,'" was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Gideon, Harmon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Moran, Parcher, Proctor, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

NOES—Senators Hazell, Ryors and Seabourn—3.

ABSENT—Senators Davisson, Downing and Kelly—3.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Johnson of Madison moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 92 was indefinitely postponed.

Senate bill No. 159, entitled "An act to protect the public roads in the State of Missouri, by repealing section 5666, chapter 105 of the Revised Statutes of 1879," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Johnson of Montgomery, Mackey, Parcher, Proctor, Salton-

stall, Seabourn, Sebree, Simrall, Sparks, Taggart, Webster and Wood—18.

NOES—Senators Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Kerwin, Ketchum, Moran, Ryors, Sears, Sheldon and Smith—12.

ABSENT—Senator Davisson.

ABSENT WITH LEAVE—Senators Kelly and Mansfield—2.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Claycomb moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Substitute for Senate bill No. 257, entitled "An act relating to the assignment and satisfaction of mortgages and deeds of trust," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Downing, Hazell, Johnson of Madison, Ketchum, Sears and Webster—7.

NOES—Senators Ball, Castleman, Claycomb, Gideon, Harmon, Hunter, Johnson of Montgomery, Kerwin, Mackey, Parcher, Proctor, Ryors, Saltonstall, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—20.

ABSENT—Senators Davisson, Jacobs, Kelly, Moran and Seabourn—5.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

Joint and Concurrent Resolution No. 5 was indefinitely postponed.

House bill No. 311, entitled "An act to amend section 4350, chapter 87, article 1 of the Revised Statutes of the State of Missouri, relating to herding cattle by non-residents," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Gideon, Harmon, Hunter, Jacobs, Johnson of Madison, Kerwin, Ketchum, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—24.

NOES—Senators Hazell and Sebree—2.

ABSENT—Senators Davisson, Downing, Johnson of Montgomery, McGinnis, Moran and Webster—6.

ABSENT WITH LEAVE—Senators Kelly and Mansfield—2.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 15, entitled "An act to amend section 2931 of article 6 of chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Taggart and Wood—21.

NOES—Senators Gideon, Kerwin, Ketchum, Simrall, Smith and Sparks—6.

ABSENT—Senators Davisson, Johnson of Montgomery, Kelly, Moran and Webster—5.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 197, entitled "An act to amend section 5021, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,'" was read third time and passed by the following vote:

AYES — Senators Allen, Ball, Castleman, Claycomb, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—26.

NOES—Senators Downing, Johnson of Madison and Ketchum—3.

ABSENT—Senators Davisson, Kelly and Webster—3.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Harmon moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

House bill No. 29, was laid over informally.

House bill No. 85, entitled "An act to prevent the use of any substitute for hops, or pure extract of hops, in the manufacture of ale or beer, and to preserve the public health," was taken up.

Senator Downing offered the following amendment, which was read and not agreed to :

Amend by striking out the word "fifty" and inserting in lieu thereof "five hundred," and further amended by striking out the words "five hundred" and inserting in lieu thereof "five thousand." Lost.

House bill No. 85 was laid over informally.

The following message was received from the Governor through his Private Secretary, Mr. Yantis, which was read :

CITY OF JEFFERSON, March 9, 1887.

SIR: I have the honor to return to the Senate, with my approval endorsed thereon, bill No. 235 of the following title: "An act to appropriate money for the improvement of the State capitol building."

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

House bill No. 105, entitled "An act to amend sections 1 and 2 of an act entitled 'An act to regulate the weighing of coal at mines, and to establish a just and uniform system of weights between employers and employes,' approved March 18, 1885," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Parcher, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—26.

ABSENT—Senators Davisson, Harmon, Kelly, Moran, Saltonstall and Webster—6.

ABSENT WITH LEAVE—Senators Mansfield.

SICK—McGinnis.

The title was read and agreed to.

Senator Sparks moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 194, entitled "An act to repeal an act entitled 'An act to repeal section 7023, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to insert a new section in lieu thereof,' approved March 29, 1883, and to enact a new section in lieu thereof, to be numbered 7023," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Gideon, Harmon, Johnson of Madison, Johnson of Montgomery, Kerwin, Mackey, Parcher, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—22.

ABSENT—Senators Davisson, Downing, Hazell, Hunter, Jacobs, Kelly, Ketchum, Moran, Saltonstall and Webster—10.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following communication was received from the House of Representatives, through the Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 144, entitled "An act to repeal section 1352 of chapter 24, article 3 of the Revised Statutes of Missouri for the year 1879, relating to crimes and criminal procedure, and to enact in lieu thereof a new section, to be known as section 1352; "

Also, House bill No. 150, entitled "An act to amend section two of an act entitled 'An act regulating the sale of medicines and poisons by druggists and pharmacists,' approved March 29, 1883, entitled 'Intoxicating liquors; ' "

Also, House bill No. 362, entitled "An act to amend section five (5) of an act entitled 'Corporations—trust companies,' approved March 20, 1885; "

Also, House bill No. 268, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' and to repeal section 5623 of said chapter; "

Also, House bill No. 368, entitled "An act to amend section 3299 of chapter 52, entitled 'Of mortgages and deeds of trust,' of the Revised Statutes of Missouri, revision of 1879; "

Also, substitute for House bill No. 596, entitled "An act to amend section 4 of the acts of 1883, approved March 24, 1883, entitled 'An act to repeal sections 1115 and 1128 of article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' and to repeal an act entitled 'An act to amend section 1145, article 3 of chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' approved March 18, 1881, and to repeal an act entitled 'An act to amend section 1157, chapter 23, article 4 of the Revised Statutes of the State of Missouri, in relation to courts of record,' approved March 26, 1881, and to repeal section 1 of an act entitled 'An act to amend sections 1127, 1135 and 1165 of the Revised Statutes, concerning circuit courts, and attaching the county of Taney to the 21st judicial circuit,' approved March 24, 1881, and to enact new sections in lieu of the sections and acts hereby repealed, and to amend an act entitled 'An act to amend section 1158, article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' approved March 11, 1881; "

Also, House bill No. 689, entitled "An act providing for the holding of two terms of the Lawrence county circuit court at the City of Peirce, in said county, and prescribing the jurisdiction thereof," with an emergency clause, which was agreed to.

In which the concurrence of the Senate is respectfully requested.

House bill No. 107, entitled "An act to amend sections 7148 and 7152 of article 2, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools,'" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Parcher, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—26.

ABSENT—Senators Davisson, Kelly, Moran, Proctor, Sears and Webster—6.

ABSENT WITH LEAVE—Senators Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Claycomb moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 63, entitled "An act to prevent county commissioners of public schools from granting certificates without first having examined the applicant in the branches required by law to be taught in the public schools," was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Downing, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

NOES—Senators Ball, Gideon and Harmon—3.

ABSENT—Senators Davisson, Kelly and Moran—3.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 222 was laid over informally.

House bill No. 7, entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Harmon, Hunter, Johnson of Madison, Johnson of Montgomery, Ker-

win, Ketchum, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—25.

NOES—Senators Gideon, Hazell and Webster—3.

ABSENT—Senators Davisson, Jacobs, Kelly and Moran—4.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Ketchum moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Mackey offered the following resolution, which was read and adopted:

Resolved, That the thanks of the Senators are due and the same are hereby tendered the ladies of Jefferson City for the beautiful boutonniers presented to them this day.

Senator Jacobs granted leave of absence until to-morrow morning.

Senator Downing moved that the Senate adjourn, which was lost by the following vote:

AYES—Senators Allen, Ball, Downing, Hazell, Johnson of Madison, Ketchum, Mackey, Proctor, Ryors, Saltonstall, Seabourn, Sheldon and Smith—13.

NOES—Senators Castleman, Claycomb, Gideon, Harmon, Hunter, Johnson of Montgomery, Kerwin, Moran, Parcher, Sears, Sebree, Simrall, Sparks, Taggart, Webster and Wood—16.

ABSENT—Senators Davisson and Kelly—2.

ABSENT WITH LEAVE—Senators Jacobs and Mansfield—2.

SICK—Senator McGinnis.

House bill No. 100, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for the distribution and sale thereof,' approved March 31, 1885, by inserting certain words and adding others," was taken up.

Senator Ball moved that the bill be read third time, which was agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Gideon, Harmon, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Mackey, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sparks, Taggart, Webster and Wood—20.

NOES—Senators Downing, Hazell, Moran, Ryors, Sheldon, Simrall and Smith—7.

ABSENT—Senators Davisson, Kelly, Ketchum and Proctor—4.

ABSENT WITH LEAVE—Senators Jacobs and Mansfield—2.

SICK—Senator McGinnis.

The bill was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—25.

NOES—Senators Hazell, Ketchum and Smith—3.

ABSENT—Senator Davisson, Kelly and Ryors—3.

ABSENT WITH LEAVE—Senators Jacobs and Mansfield—2.

SICK—Senator McGinnis.

The title was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Downing moved that the Senate adjourn, which was not agreed to by the following vote :

AYES—Senators Downing, Hazell, Johnson of Madison, Kerwin, Mackey, Proctor, Ryors, Sears, Sheldon, Simrall and Smith—11.

NOES—Senators Allen, Ball, Castleman, Claycomb, Gideon, Harmon, Hunter, Johnson of Montgomery, Ketchum, Moran, Parcher, Saltonstall, Seabourn, Sebree, Sparks, Taggart, Webster and Wood—18.

ABSENT—Senators Davisson and Kelly—2.

ABSENT WITH LEAVE—Senators Jacobs and Mansfield—2.

SICK—Senator McGinnis.

Senator Downing moved to take a recess for 15 minutes, which was not agreed to by the following vote :

AYES—Senators Johnson of Madison, Ryors and Sheldon—3.

NOES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Davisson and Kelly—2.

ABSENT WITH LEAVE—Senators Jacobs and Mansfield—2.

SICK—Senator McGinnis.

Senator Downing moved that the Senate adjourn, which was not agreed to by the following vote :

AYES—Senators Moran, Ryors and Sears—3.

NOES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Parcher, Proctor, Saltonstall, Seabourn,

Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—25.

ABSENT—Senators Davisson, Harmon and Kelly—3

ABSENT WITH LEAVE—Senators Jacobs and Mansfield—2.

SICK—Senator McGinnis.

On motion of Senator Ryors, the Senate adjourned until to-morrow morning at 9:30 o'clock.

FORTY-EIGHTH DAY—THURSDAY, March 10, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 324, entitled "An act providing for the holding of two terms of the Lawrence county circuit court at the city of Peirce City, in said county, and prescribing the jurisdiction thereof," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senate bill No. 324 was indefinitely postponed.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 384, entitled "An act to amend an act entitled 'An act to authorize the appointment of assistant prosecuting attorneys in counties containing seventy-five thousand inhabitants or more, prescribing their duties and providing for their compensation,' approved March 31, 1883," beg leave to report that they have carefully examined the

same and recommend that it do pass with the accompanying amendment:

Amend House bill No. 384 by striking out the word "seventy-five," in the 3d and 14th lines of section 2 of printed bill, and insert in lieu thereof the word "fifty."

The amendment was read first and second times and agreed to.

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 114, entitled "An act to reduce the compensation of members of the General Assembly to the requirements of the Constitution, by amending section 6237 of chapter 124 of the Revised Statutes of 1879," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 140, entitled "An act to amend section 2121 of the Revised Statutes of the State of Missouri," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 716, entitled "An act to amend an act entitled an act to amend section one thousand one hundred and forty-eight of the Revised Statutes of the State of Missouri, in relation to courts of record, approved February 19, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 123, entitled "An act to amend section 3229 of article 2, chapter 48 of the Revised Statutes of the State of Missouri, entitled 'Limitation of actions,' " beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 38, entitled "An act providing for the holding of two terms of the Linn county circuit court at the city of Brookfield, in said county, and prescribing the jurisdiction thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 395, entitled "An act to amend amend an act entitled an act to amend chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corpora-

tions,' by adding a new article thereto, entitled 'Trust companies,' approved March 20, 1885,' " beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendment.

Amend House bill No. 395 by inserting between the words "securities" and "so," in the 11th and 12th lines of printed bill, and by adding to said bill after the word 'securities,' in the 52d line thereof, the following words: "Tenth—To guarantee owners of real estate, mortgagees and all others interested in real estate, against loss by reason of defective titles, liens or incumbrances."

The amendment was read first and second times and agreed to.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroad and Insurance, to whom was referred House bill No. 300, entitled "An act to repeal an act entitled 'An act to incorporate the town of Brunswick,' approved January 26, 1847; also, to repeal an act entitled 'An act to amend an act entitled 'An act to incorporate the town of Brunswick,' approved January 26, 1847, approved February 28, 1851, and also, to repeal an act entitled 'An act amendatory of an act entitled an act amendatory of an act entitled an act to incorporate the town of Brunswick,' approved March 7, 1870; and also, to repeal an act entitled 'An act to amend an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 1, 1871; and also, to repeal an act entitled 'An act amendatory of and supplementary to an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 28, 1872; and also, to repeal an act entitled 'An act supplementary to and amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 30, 1872," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Wood offered the following resolution, which was read and laid over informally:

Resolved, That the Senate Committee on Criminal Jurisprudence be and they are hereby instructed to report back to the Senate on or before to-morrow morning, House bill No. 126, commonly known as the "Sunday Law Bill," which said bill was referred to said committee on the 17th day of February, 1887.

Senator Hunter submitted the following reports from the Committee on Ways and Means, which were read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred substitute for House bill No. 251, entitled "An act con-

cerning assessment lists, merchants' statements, bonds of road overseers, statements of road overseers, petitions for dramshop licenses and bonds of dramshop keepers, and authorizing the county courts of the several counties of the State to make orders for the destruction of the same," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 323, entitled, "An act prescribing limitation for bringing action on special tax bills, special assessments, and for bringing actions for and against property sold for taxes," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 325, entitled "An act to authorize the county court of Wright county to relieve James A. Tate, treasurer of said county, from the payment of money stolen belonging to said county," beg leave to report that they have carefully examined the same and recommend that it do pass.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate, that there has been introduced into and passed the House, House bill No. 177, entitled "An act to provide for the funding of county and township bonds;"

Also, House bill No. 501, entitled "An act to prevent gambling under the guise of trading in stocks, bonds, petroleum, cotton, grain, provisions or other commodities, and defining bucket shops;"

Also, House bill No. 351, entitled "An act to repeal section 1691, of article 10 of chapter 24 of the Revised Statutes of the State of Missouri, and to enact a new section in lieu thereof;"

Also, House bill No. 109, entitled "An act entitled an act to authorize cities and incorporated towns to appropriate money for constructing and repairing gravel, macadamized or graded public roads leading into same, and building bridges thereon;"

Also, House bill No. 685, entitled "An act to repeal section 1167 of the Revised Statutes of 1879, and all acts amendatory thereof, and to enact a new section in lieu of the same, relating to the holding of circuit courts in the twenty-third circuit, and providing for the holding of circuit courts in the county of Wayne in said circuit, at a place other than the county seat," with an emergency clause, which was agreed to;

Also, House bill No. 385, entitled "An act to provide for the incorporation and regulation of associations, societies or companies doing

a life or casualty insurance business on the assessment plan," with an emergency clause, which was agreed to.

In which the concurrence of the Senate is respectfully requested.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 42, entitled "An act to repeal sections Nos. 1917 and 1918 of article 18 of chapter 24 of the Revised Statutes of Missouri, A. D. 1879, entitled 'Of crimes and criminal procedure,' and to enact a new section in lieu thereof," to be designated as section No. 1917;

Substitute for Senate bill No. 314, entitled "An act to prevent any person circulating petition for a dramshop license from forging, procuring or allowing to be forged, any name or names thereon, and prevent such license from being granted, and providing for appeal to the circuit court ;"

Substitute for Senate bill No. 230, entitled "An act to define a retail liquor dealer, and to create a special class of licenses, to be known as retail liquor dealer licenses;"

Senate bill No. 41, entitled "An act to create a commission to frame a criminal code for the State of Missouri and to appropriate money therefor " was indefinitely postponed.

The following House bills were read first time :

House bill No. 118, entitled "An act to amend section 3833, chapter 62 of the Revised Statutes of Missouri, entitled 'Of recorders of deeds ;"

House bill No. 144, entitled "An act to repeal section 1352 of chapter 24, article 3 of the Revised Statutes of Missouri for the year 1879, relating to 'Crimes and criminal procedure,'" and to enact in lieu thereof a new section, to be known as section 1352 ;

House bill No. 150, entitled "An act to amend section 2 of an act entitled 'An act regulating the sale of medicines and poisons by druggists and pharmacists,' approved March 29, 1883, entitled 'Intoxicating liquors ;"

House bill No. 268, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' and to repeal section 5623 of said chapter ;"

House bill No. 269, entitled "An act to amend section 7153, chapter 150, article 2 of the Revised Statutes of the State of Missouri, concerning city, town and village schools ;"

House bill No. 362, entitled "An act to amend section five (5) of an act entitled 'Corporations—trust companies,' approved March 20, 1885 ;"

House bill No. 368, entitled "An act to amend section 3299 of chapter 52, entitled 'Of mortgages and deeds of trust,' of the Revised Statutes of Missouri, revision of 1879;"

Substitute for House bill No. 596, entitled "An act to amend section 4 of the acts of 1883, approved March 24, 1883, entitled 'An act to repeal sections 1115 and 1128 of article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' and to repeal an act entitled 'An act to amend section 1145, article 3 of chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' approved March 18, 1881, and to repeal an act entitled 'An act to amend section 1157, chapter 23, article 4 of the Revised Statutes of the State of Missouri, in relation to courts of record, approved March 26, 1881, and to repeal section 1 of an act entitled 'An act to amend sections 1127, 1135 and 1165 of the Revised Statutes, concerning circuit courts, and attaching the county of Taney to the twenty-first judicial circuit,' approved March 24, 1881, and to enact new sections in lieu of the sections and acts hereby repealed, and to amend an act entitled 'An act to amend section 1158, article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' approved March 11, 1881;"

House bill No. 689, entitled "An act providing for the holding of two terms of the Lawrence county circuit court at the city of Peirce City, in said county, and prescribing the jurisdiction thereof;"

House bill No. 385, entitled "An act to provide for the incorporation and regulation of associations, societies or companies doing a life or casualty insurance business on the assessment plan;"

House bill No. 685, entitled "An act to repeal section 1167 of the Revised Statutes of 1879, and all acts amendatory thereof, and to enact a new section in lieu of the same, relating to the holding of circuit courts in the twenty-third circuit, and providing for the holding of circuit courts in the county of Wayne in said circuit, at a place other than the county seat;"

House bill No. 109, entitled "An act entitled an act to authorize cities and incorporated towns to appropriate money for constructing and repairing gravel, macadamized or graded public roads leading into same, and building bridges thereon;"

House bill No. 351, entitled "An act to repeal section 1691 of article 10 of chapter 24 of the Revised Statutes of the State of Missouri, and to enact a new section in lieu thereof;"

House bill No. 501, entitled "An act to prevent gambling under the guise of trading in stocks, bonds, petroleum, cotton, grain, provisions, or other commodities, and defining bucket shops;"

House bill No. 177, entitled "An act to provide for the funding, of county and township bonds."

Senate bill No. 313, entitled "An act enabling the State to light its public buildings and grounds, located at the City of Jefferson, with electric lights," was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Johnson of Madison, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Saltonstall, Seabourn, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—23.

NO—Senator Seabee.

ABSENT—Senators Ball, Harmon, Hunter, Jacobs, Johnson of Montgomery, Kelly, Parcher, Ryors and Sears—9.

ABSENT WITH LEAVE—Senator Mansfield.

The title was read and agreed to.

Senator Smith moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 228, entitled "An act to amend section 3717, Revised Statutes of Missouri, as amended by section 8 of an act entitled 'An act to amend sections 3636, 3638, 3639, 3641, 3710, 3712, 3713, 3714, 3717 and 3720, chapter 59, Revised Statutes of Missouri, 'Of practice in civil cases,' approved March 28, 1885," was indefinitely postponed.

House bill No. 397 was laid over informally.

Senator Johnson of Montgomery submitted the following reports from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 351, entitled "An act to authorize the judge of probate of New Madrid county, Missouri, to appoint a clerk of said court and prescribe his duties and compensation;"

Also, Senate bill No. 352, entitled "An act to facilitate the drainage and reclamation of swamp and overflowed lands;"

Also, Senate bill No. 100, entitled "An act to amend an act entitled 'An act to amend section 5459 of chapter 98, Revised Statutes of 1879, entitled 'Of dramshops,' approved March 17, 1885;"

Also, Senate bill No. 78, entitled "An act to amend section 2 of an act entitled 'Druggist—intoxicating liquors,' approved March 29, 1883;"

Also, Senate bill No. 316, entitled "An act to provide for the *per diem* compensation of the Speaker of the House of Representatives as such," beg leave to report that they have compared the same and find them to be truly engrossed.

House bill No. 399, entitled "An act to amend section 2695, chapter 39, Revised Statutes, 1879, entitled 'Of homesteads,' by adding thereto," was read third time and passed by the following vote:

AYES—Senators Allen, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

NO—Senator Gideon.

ABSENT—Senators Ball, Castleman, Kelly and Ryors—4.

ABSENT WITH LEAVE—Senator Mansfield.

The title was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 222, entitled "An act to amend section six thousand six hundred and seventy-one and six thousand six hundred and seventy-three of the Revised Statutes of Missouri, relating to boards of equalization," was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Ball, Davisson, Kelly, Ketchum and Ryors—5.

ABSENT WITH LEAVE—Senator Mansfield.

The title was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Ketchum was reported sick.

House bill No. 214, entitled "An act to amend an act entitled 'An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of cities, towns and villages,' by adding thereto one new section, to be known as section No. 5003½, relating to the police regulations of cities of the fourth class, approved March 14, 1885," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Webster—25.

NOES—Senators Gideon, Hazell, Ketchum and Moran—4.

ABSENT—Senators Kelly, Ryors Sheldon and Wood—4.

ABSENT WITH LEAVE—Senator Mansfield.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Kelly, Proctor and Sheldon—3.

ABSENT WITH LEAVE—Senator Mansfield.

The title was read and agreed to.

Senator Simrall moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Castleman moved to reconsider the vote by which Senate bill No. 280, entitled "An act to authorize railroad companies to use in common railroad tracks in cities of over forty thousand inhabitants, and providing for the appointment, and prescribing the powers and duties of a terminal superintendent of such tracks, and the mode and manner in which a railroad company may acquire an easement over such tracks, and the compensation to be paid therefor," failed to pass. The motion was agreed to by the following vote :

AYES—Senators Castleman, Claycomb, Harmon, Hazell, Hunter, McGinnis, Mackey, Moran, Parcher, Saltonstall, Sebree, Simrall, Taggart and Wood—14.

NOES—Senators Allen, Davisson, Downing, Gideon, Johnson of Madison, Kerwin, Ketchum, Proctor, Sears, Sheldon, Smith, Sparks and Webster—13.

ABSENT—Senators Ball, Jacobs, Johnson of Montgomery, Kelly, Ryors and Seabourn—6.

ABSENT WITH LEAVE—Senators Mansfield.

On motion of Senator Claycomb, the Senate adjourned until 2 o'clock.

AFTERNOON SESSION.

The President *pro tem.* called the Senate to order.

The consideration of Senate bill No. 280 was resumed, and the bill was read third time and failed to pass by the following vote :

AYES—Senators Castleman, Claycomb, Harmon, Hazell, Hunter, Johnson of Montgomery, McGinnis, Mackey, Saltonstall, Sebree, Simrall, Taggart and Wood—13.

NOES—Senators Allen, Ball, Davisson, Downing, Gideon, Johnson of Madison, Kerwin, Parcher, Proctor, Ryors, Seabourn, Sears, Sheldon, Smith, Sparks and Webster—16.

ABSENT—Senators Jacobs, Kelly and Moran—3.

ABSENT WITH LEAVE— Senator Mansfield.

SICK—Senator Ketchum.

The following communication was received from the House of Representatives, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been taken up by and passed the House, Senate bill No. 33, entitled "An act to amend section 1367 of the Revised Statutes of the State of Missouri of 1879," with an amendment to title ;

Also, Senate bill No. 36, entitled "An act to amend article 9 of chapter 145 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Taxation of bridges and telegraph and express franchises,' by adding thereto a new section, to be known as section 6904*a*;"

Also, Senate bill No. 46, entitled "An act to amend article 19 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' by adding three new sections, to be known as sections 1956*a*, 1956*b* and 1956*c*;"

Also, Senate bill No. 49, entitled "An act to amend section 4 of an act approved March 23, 1883, entitled 'An act to establish a bureau of labor statistics and inspection of factories, mines and workshops throughout this State, and to provide for the appointment of an inspector for same, and to repeal article one of chapter 154 of the Revised Statutes of Missouri of 1879, entitled 'Of statistics ;'"

Also, Senate bill No. 17, entitled "An act to amend sections 6569 and 6570 of chapter 139 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of plats ;'"

Also, Senate bill No. 39, entitled "An act to amend section 1963 of article 19 of chapter 24 of the Revised Statutes of Missouri, entitled 'Verdict and judgment and proceedings thereon ;'"

Also, Senate bill No. 45, entitled "An act to to establish a branch county clerk's office in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, and where county courts are now or may hereafter be held at more places than one, and at places other than the county seat ;"

Also, Senate bill No. 59, entitled "An act providing for the appointment of a county counselor in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, prescribing their qualifications and duties, and providing for their compensation," with an emergency clause, which was adopted ;

Also, Senate bill No. 76, entitled "An act to amend section 2 of article 1 of chapter 1 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of the administration of the estates of deceased persons ;'"

Also, Senate bill No. 82, entitled "An act to amend section 2513, chapter 35 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of frauds and perjuries;'"

Also, Senate bill No. 83, entitled "An act to repeal certain parts of an act entitled 'An act to amend section 1159 of article 4, chapter 23 of the Revised Statutes of Missouri of 1879, relating to courts of record,' approved January 31, 1885;"

Also, Senate bill No. 61, entitled "An act to repeal an act entitled 'An act to amend section 1147 of article IV. of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885, and to enact a new section in lieu thereof."

Senate bill No. 351, entitled "An act to authorize the judge of probate of New Madrid county, Missouri, to appoint a clerk of said court and prescribe his duties and compensation," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Gideon, Harmon, Jacobs, Kelly, Moran and Proctor—6.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator Ketchum.

The emergency clause was passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senators Gideon, Jacobs, Kelly, Moran and Sheldon—5.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Hunter moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 352, entitled "An act to facilitate the drainage and reclamation of swamp and overflowed lands," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Ryors, Saltonstall,

Seabourn, Sears, Seabee, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Gideon, Jacobs, Kelly, Moran, Proctor and Smith —6.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Hunter moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Ball submitted the following report from the Committee on Engrossed Bill, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 327, entitled "An act to amend section one of an act entitled 'An act to authorize any city containing more than twenty thousand and less than two hundred and fifty thousand inhabitants, existing by virtue of special or local laws, to extend its limits and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained,' approved March 11, 1885;"

Also, Senate bill No. 341, entitled "An act in relation to terms of probate court in more than one place in certain counties and as to appointment of clerks for the probate court in any county where terms of the probate court may be held in more than one place in such county ;"

Also, Senate bill No. 353, entitled "An act to authorize county courts in counties now concerning, or that may hereafter contain, seventy five thousand inhabitants or more, to purchase land, locate, build and maintain an insane asylum ; also, to prescribe rules for the government thereof; to appoint officers and attendants, and prescribe their duties and fix their compensation," beg leave to report that they have compared the same, and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred House bill No. 199, entitled "An act for the protection of the owners or keepers of stallions, jacks and bulls, and to prevent fraudulent pedigrees," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Smith submitted the following report from the Committee appointed to examine the concerns of the State Agricultural College Farm, which was read :

To the Senate and House of Representatives of the Thirty-fourth General Assembly: We, the undersigned members of your committee appointed by resolution of the House and Senate to investigate the sales of lands belonging to the Agricultural College, and the management of funds arising therefrom; also, to investigate change or reported change of the name of the State University, respectfully submit herewith the testimony taken by your committee, and desire to report briefly, as follows: First, that we find no testimony showing misappropriation or mismanagement of the funds belonging to the Agricultural College, but believe that the management of same has been prudent and honest, in fact all that could be expected, considering the difficulties under which the friends of the institution have labored. We find that the State has received very moderate benefit from the Agricultural College. But this has not been the fault of those in charge of same; but has been the fault of the State in not providing the college with funds necessary to properly equip the farm, so that the endowment funds received from the sale of lands might be made available, as contemplated under the act of Congress making the grant. We therefore recommend the immediate appropriation of the necessary money for this purpose; second, we find that the change, or attempted change of the name of the university was made by the president, Dr. S. S. Laws, without any authority from the board of curators, therefor; third, we do not believe it would be for the best interests of the State, or of the college to separate it from the State University; believing that a separation would ultimately result in great expense to the State without any corresponding benefits; we, therefore, recommend that the General Assembly provide by resolution, or otherwise, a clear definition of the relation of the Agricultural College to the State University, in order that the friends of the institution will have something definite to guide them in its management.

Senate bill No. 341, entitled "An act in relation to terms of probate court in more than one place in certain counties, and as to appointment of clerks for the probate court in any county where terms of the probate court may be held in more than one place in such county," was taken up, rules suspended, read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood
—25.

ABSENT—Senators Gideon, Hunter, Kelly, Moran, Proctor, Smith and Webster—7.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 353, entitled "An act to authorize county courts in counties now containing, or that may hereafter contain, seventy-five thousand inhabitants or more, to purchase land, locate, build and maintain an insane asylum; also, to prescribe rules for the government thereof; to appoint officers and attendants, and prescribe their duties and fix their compensation," was taken up, rules suspended, and read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood—25. 7

ABSENT—Senators Gideon, Kelly, Moran, Ryors, Sears, Smith and Webster—7.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following House amendment to Senate bill No. 214, was taken up:

Amend printed bill by inserting after the word "as," in line four of section 1, the word "it."

The amendment was read first and second times and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—27.

ABSENT—Senators Gideon, Kelly, Moran, Ryors and Webster—5.

ABSENT ON LEAVE—Senator Mansfield.

SICK—Senator Ketchum.

Senator Downing called up the joint and concurrent resolu-

tion No. 19 of the House, fixing the 16th of March as the date of adjournment *sine die* of the General Assembly.

Senator Downing offered the following amendment, which was read:

Amend by striking out "16th" and inserting "21st."

Senator Sheldon offered the following amendment, which was read:

Amend by striking out "16th," and insert "Wednesday, 23d."

On motion of Senator Johnson of Montgomery, the further consideration of the resolution and amendments was postponed until 10 o'clock Tuesday next, by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Harmon, Hazell, Jacobs, Johnson of Montgomery, Mackey, Moran, Parcher, Proctor, Saltonstall, Sears, Seebree, Sheldon, Sparks, Taggart and Wood—18.

NOES—Senators Allen, Davisson, Downing, Johnson of Madison, Kerwin, McGinnis, Seabourn, Simrall and Smith—9.

ABSENT—Senators Gideon, Hunter, Kelly, Ryors and Webster—5.

ABSENT WITH LEAVE—Senator Mansfield.

SICK—Senator Ketchum.

Senator Harmon was granted leave of absence until Monday next.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 181, entitled "An act exempting superintendents of county poor houses from jury duty by amending an act entitled 'An act exempting certain bank officials from jury duty, by amending section 2779, chapter 43 of the Revised Statutes, 1879, entitled 'Of grand and petit juries,' approved April 2, 1885;'"

Also, substitute for House bill No. 28, entitled "An act to amend an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for distribution and sale thereof,' approved March 31, 1885, by adding a new section thereto, to be known as section 15a, providing for the publication or purchase and distribution of the first sixteen volumes of the Missouri Appeal Reports;"

Also, House bill No. 18, entitled "An act to prevent the granting, sending or delivering free passes or tickets, or passes or tickets at a discount, to members of the General Assembly, members of the State Board of Equalization, any State, judicial, county or municipal officer, by any railroad or other transportation company, or any officer, agent or employe of any such company, and to prevent any of said officers from accepting, using or traveling on the same;"

Also, House bill No. 61, entitled "An act to amend section 3482 of article 3 of chapter 59 of the Revised Statutes of Missouri of 1879, entitled 'Of practice in civil cases,' and 'Of the place for bringing suits,'" and

announced on the reading of each bill that unless objection be made he would sign the same to the end that it may become a law. Each bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, immediately upon the reading of each bill, affixed his signature thereto.

Senator Allen granted leave of absence from Friday noon until Monday noon.

Senator Hazell granted leave of absence until Monday noon.

Senator Johnson of Montgomery submitted a report from the committee appointed to prepare resolutions of respect concerning the death of Senator Albert H. Edwards. The report was adopted.

MR. PRESIDENT: Your Committee appointed to prepare proper expressions of this body touching the death of the late Senator A. H. Edwards of St. Charles, beg leave to report for your adoption the following preamble and resolutions:

WHEREAS, In the providence of Almighty God, on the twelfth day July, 1886, the Honorable Albert Hamilton Edwards was called from labor to rest and refreshment; and,

WHEREAS, For twelve years he was an honored and useful member of this Senate, and during the last two years the President *pro tem.*; therefore, be it

Resolved, 1. That we recognize in the life and character of our late Senator those sterling qualities of heart and head, correct judgment, integrity of purpose, honesty of convictions, and devotion to truth, and principle that endeared him to us all as a valued friend, neighbor, law maker and citizen.

Resolved, 2. That we cherish with affectionate memory the name—the good name—of this deceased Senator, which “is rather to be chosen than great riches, and loving favor rather than silver and gold.”

Resolved, 3. That we extend our sympathies to all his relatives, and especially to his four motherless children, and join in the common expression of opinion among his friends, neighbors and relatives, that a true man, friend, brother and father has been called to “pass over the river and rest under the shade of the trees.”

Resolved, 4. That a copy of this paper be properly engrossed, signed by the President and Secretary of the Senate, and forwarded to the family of deceased.

Senator McGinnis moved that the report, resolutions and the remarks of Senator Johnson of Montgomery be spread upon the record. The motion was carried.

Senator Johnson of Montgomery made an address, of which the following is a copy :

MR. PRESIDENT: As the successor of Senator Edwards, it seems to me to be proper that I should recite briefly a few points in his personal history, and add a word of tribute to his memory.

Albert Hamilton Edwards was born in Henry county, Virginia, September, 1834. His father came to Missouri in the fall of 1835, and settled on a farm in St. Charles county, where young Edwards was raised under such advantages as a farm life at that time afforded. He attended school in the winter months and in the spring and summer months worked on the farm. He attended high school, taught by Rev. Carr W. Pritchett, (now of Glasgow), in the eastern part of Warren county, Missouri.

At about the age of twenty he went to California, where he remained for five years. In 1860 he returned and entered Rev. Carr W. Pritchett's school at Fayette, Missouri, and afterward attended St. Charles College, under Dr. Anderson, where he was when the war broke out.

In 1860 he began the study of the law under his brother, Judge W. W. Edwards and Thomas S. Cunningham, Esq., of St. Charles.

In 1863 he was admitted to the bar and rose rapidly in his profession. In the same year he was appointed postmaster at St. Charles, which position he held for seven years. In 1870 he was elected as one of the Representatives to the State Legislature from St. Charles county. St. Charles was at that time entitled to two Representatives, and was largely Republican, but notwithstanding this, Mr. Edwards was elected as an independent Democrat. In 1872, under the new apportionment, St. Charles county was only entitled to one Representative, and Mr. Edwards was again elected as an independent Democrat. His ability was soon recognized and he at once took a prominent place among his fellow members. He was made chairman of the Committee on Insurance, at that time one of the most important committees in the House. He was also a member of the Judiciary Committee and Committee on Criminal Jurisprudence.

In 1874 he was elected to the State Senate as an Independent Democrat from the Tenth Missouri district, then composed of the counties of Warren and St. Charles, which was also largely Republican. In 1878 he was re-elected from the same district, and in 1882 was again elected, Callaway and Montgomery counties having been added to the district in 1881, and this time without opposition. These facts show his popularity and the esteem in which he was held by the people of all the counties composing the district, regardless of politics.

His experience in the House, together with his ability, gave him at

once a place in the Senate among its trusted leaders, and up to the time of his death, he was regarded as one of the soundest, safest and truest of its leaders. In January, 1885, at the organization of the Senate he was unanimously elected President *pro tem.*, being the oldest Senator in the line of service, and regarded by his associates as preeminently qualified and entitled to the place. His treatment of his fellow-members, both in and out of the Senate, was uniformly kind and courteous and polite, and his deportment on the Senate floor and when in the chair was at all times and under all circumstances fully in keeping with his character as a true gentleman and the importance and dignity of the position he held.

In 1873 he married Miss Mattie E. Whitney, a beautiful and accomplished lady of St. Charles, who died a few years prior to his death, and by whom he had four children, all of whom survive him. The death of his wife, to whom he was very much devoted, was a severe loss to him and produced such a shock upon his nervous system as to seriously impair his health. In his youth he became a member of the Methodist Church, and after arriving at manhood became a member of the Masonic order and continued a member up to the time of his death. He was a firm believer in the Christian religion, and made its great truths the rule of his conduct in all his dealings with his fellow beings.

In politics he was always a Democrat and ranked high as a safe, honest, far-seeing politician. His fidelity to his party was excelled only by his loyalty and devotion to the people's interests. His counsel and advice were often sought by those occupying high places in the party.

As a legislator he had no superior as an advocate of sound, conservative, practical legislation, and much of the wise and useful legislation enacted during his long term of service was due to him.

For sixteen consecutive years he served his people in the State legislature, four years in the House and twelve years in the Senate, and be it said to his credit that he came out poor and with but little of this world's goods left. More than this, for nearly a quarter of a century he served the public without any adequate pecuniary return therefor. His service was more of trust than profit. He preferred to serve his people instead of serving himself. He was studious and attentive to every question that affected the interests of his people. He was indeed a true friend of the people. He never betrayed a trust or forgot an act of kindness. So keen and delicate was his sense of right that no man dared approach him for improper purposes, and as conclusive proof of this fact, from a continuous public service of nearly twenty-five years, he came out without even a breath of suspicion

against a single official act of his. He came out of this long service poor and honest, a monument to his memory more lasting than marble or brass, and a living epitaph that is indelibly written in the hearts of the people he served so long and so well. What more could be said? What more need be said of any man? He was an honest man and an incorruptible legislator. This heritage he left to his children and to his country, more valuable than all the riches of earth.

Senator Edwards was not a brilliant man, yet he possessed those sterling qualities of head and heart which constitute the basis of true statesmanship. He was not eloquent in the highest sense of the word, yet he was pure and chaste in his diction, forcible and beautiful in thought and elegant and graceful in delivery.

He possessed a true conception of the duties of citizenship. He loved his country with a patriotic devotion equalled by few and surpassed by none.

The sickness which resulted in his death was a long protracted suffering from neuralgia, contracted in the latter years of his official life at the State capital. After weeks and months of patient suffering, from which he never murmured, he passed away on the 12th day of July, 1886, and his body was laid to rest in the county for so many years his home. He bore his long intense suffering with a fortitude and resignation manifested only by the truly good.

Mr. President, with these plain recitals we might well leave the lamented Senator's name and memory to those who knew him so well, respected him so highly and loved him so much. But the solemnity of the occasion seems to call for a word more. "Dust to dust, ashes to ashes," has been solemnly spoken at the open grave, but a true and noble brotherhood has dropped the evergreen sprig upon his coffin lid in declaration of the belief that he whose death we mourn to-day would live forever amid scenes and glories beyond the conception of mortal mind. Men may say what they please, rationalists may sneer at the Christian's faith, and argue as they feel disposed, but the hope of immortality beyond the grave is the last and crowning comfort to the greatest as well as the humblest, to the dying at that solemn moment as well as to the grief stricken watcher at the bedside. Well it may be for the living, that now and then the presence of death forces them from the engrossment of the cares and concerns of life to the actuality and certainty of death. Death is indeed a solemn thought. Humanity shudders and shrinks at its bare mention, yet it must come to all. He who lives in the strength and vigor of manhood to-day, with bright and radiant hopes of the future, may be called to answer the awful and solemn summons to-morrow.

The fact that he whose memory we commemorate, and whose

virtues we extol to-day, only a short time ago stood in this chamber and upon this floor in the pride and glory of a vigorous manhood, hopeful of life and confident of the future, should teach us a profitable and useful lesson, that life at best is but a narrow span, and that we must soon follow our lamented friend across the dark river into the unknown realms of infinite eternity, where alone a faithful discharge of all life's duties is fittingly rewarded. May we be reminded and encouraged by the example of the dead Senator to do our whole duty in all things, and when the evening of our life shall come, when our sun has sunk low in life's horizon, and the dark shades shall gather thick and close around us, may we find that consolation which comes only to those who are faithful and true to all life's duties, and after we have been called to pass over the dark, cold river of death, and our bodies have been laid to rest in the earthly tomb, and the winds of heaven shall sing their sweetest strains amid the flowers and evergreens that decorate that silent place, may those who tarry behind speak a word of commendation and drop a tear over our graves.

The following communication was received from the Governor, which was read :

CITY OF JEFFERSON, March 10, 1887.

SIR : I have the honor to return to the Senate, with my approval endorsed thereon, bill No. 1, of the following title : "An act providing that any city having a population of more than one hundred thousand inhabitants may frame a charter for its own government, and regulating the same ;"

Also, bill No. 12, of the following title : "An act to repeal an act entitled 'An act to repeal sections 3629 and 3630 of article 7, chapter 59 of the Revised Statutes of the State of Missouri for 1879, entitled 'Of issues, trials and their incidents,' 'Of practice in civil cases,' approved March 31, 1885, and enacting in lieu thereof two new sections ;'"

Also, bill No. 6, of the following title : "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, and amended by a new section, approved March 31, 1885 ;"

Also bill No. 9, of the following title : "An act to repeal section 4385 of article one, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,' and to enact in lieu thereof three new sections, to be known as sections 4385, 4385a, and 4385b."

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

Senator Allen moved to reconsider the vote by which Senate bill No. 334, entitled "An act defining the jurisdiction of the St. Louis

Court of Appeals, the Kansas City Court of Appeals and such other court of appeals as may hereafter be established by the General Assembly of the State of Missouri," failed to pass. The motion was agreed to.

Senate bill No. 334 was again read and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Gideon, Harmon, Hazell, Jacobs, Johnson of Madison, Kerwin, McGinnis, Mackey, Parcher, Proctor, Seabourn, Sheldon, Simrall, Smith, Sparks, Webster and Wood—22.

NOES—Senators Claycomb, Johnson of Montgomery, Saltonstall, Sears, Sebree and Taggart—6.

ABSENT—Senators Hunter, Kelly, Ketchum, Moran and Ryors—5.

ABSENT WITH LEAVE—Senator Mansfield.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

On motion of Senator Jacobs, the Senate adjourned until 9:30 o'clock to-morrow morning.

FORTY-NINTH DAY—FRIDAY, March 11, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Claycomb submitted the following reports from the Committee on Railroads and Internal Improvements, which were read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred House bill No. 327, entitled "An act to establish the responsibility of railroad corporations, companies and persons owning or operating railroads, for damages by fires communi-

cated by locomotive engines," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred House bill No. 394 entitled "An act to require railroad companies, or persons owning or operating any rail road or railroads in this State, to furnish suitable and convenient cars for shipping live stock," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments.

Amend section one by striking out all after the word "cars," in the fourth line, and inserting in lieu thereof the following: Without unreasonable delay with trap doors in the roof thereof, one near each end, and upon opposite sides, large enough to conveniently admit a man's body, said trap doors shall be constructed near enough to the sides of the car to enable the shipper to conveniently descend to the interior of said car by means of a ladder or steps, which shall be constructed directly under such door. Such railroad company shall receive live stock for transportation, to any place within the State, shall transport and deliver the same to any consignee, stock yard or place to whom or to which it may be consigned and directed: *Provided*, such person, stock yard or place can be reached by any track owned, leased or used, or which can be used by such corporation, and every such corporation shall permit connections to be made and maintained with its tracts to and from any and all stockyards where live stock is or may be kept. Any such corporation neglecting or refusing to comply with the requirements of this section, shall be liable to all persons damaged thereby for all damages which they may sustain on that account, whether such damage result from any depreciation in the value of such property by such neglect or refusal to deliver such live stock as directed, or in loss to the proprietor or manager of any stockyard to which it is directed to be delivered, and costs of suit, including such reasonable attorney's fees as shall be taxed by the court. And in case of any second or later refusal of such railroad corporation to comply with the requirements of this section, such corporation shall be by the court, in an action on which such failure or refusal shall be found, adjudged to pay, for the use of the people of this State, a sum of not less than one thousand nor more than five thousand dollars for each and every such failure or refusal, and this may be a part of the judgment of the court in any second or later proceeding against such corporation.

Section 2. Every railroad corporation chartered by or organized under the laws of this State, or doing business within the limits of the same, when desired by any person or corporation to ship live stock over

its road in car load lots, shall receive and transport such live stock in car load lots, within a reasonable time, from any stockyard adjoining its tracks or side tracks, or from the tracks of any other railroad corporation or stock yard company, without distinction, discrimination or favor between one shipper and another, and without distinction or discrimination as to the manner in which such live stock is offered to it for transportation, or as to the person, stockyard company or place to whom or to which it may be consigned, and the penalties for any violation of the requirements of this section shall in all respects be the same, and shall be enforced and collected in the same manner as provided in the preceding section.

The amendment was read first and second times and agreed to.

No. 2. Amend the title by striking out the words "live stock," in the fourth line, and insert in lieu thereof the words, "transporting and delivering live stock."

The amendment was read first and second times and agreed to.

Senator Claycomb submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 225, entitled "An act to amend an act entitled 'An act to repeal section 807, chapter 21, article 2 of the Revised Statutes of Missouri, entitled 'Of railroads,' and enact a new section in lieu thereof, so to define what an easy grade shall be under said act, and to prescribe what distance it shall be made,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Downing, from the Committee on Judiciary, submitted the following report, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 420, entitled "An act to amend an act entitled 'An act to amend section 5632 of the Revised Statutes, relating to fees, approved March 21, 1881,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred House bill No. 4, entitled "An act to repeal chapter 112 of the Revised Statutes of Missouri of 1879, entitled 'Of immigration,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 123, entitled "An act to amend section 3229 of article 2, chapter 48 of the Revised Statutes of the State of Missouri, entitled 'Limitations of actions,'" was ordered engrossed and printed.

The following communication was received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 247, entitled "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees;'"

Also, substitute for House bill No. 179, entitled "An act for the relief of Francis Bracklein;"

Also, House joint and concurrent resolution No. 10, entitled Joint and concurrent resolution asking Congress to pass House bill No. 10,359, generally known as the Miller bill, which has for its object the extirpation of contagious pleuro-pneumonia, foot and mouth disease, and rinderpest among cattle, and to facilitate the exportation of cattle and the products of live stock, and for other purposes;

Also, House bill No. 606, entitled "An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for cities of the second class," with an emergency clause which was agreed to;

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed the House, Senate bill No. 89, entitled "An act to amend section 7095, article 1, chapter 150, Revised Statutes of Missouri of 1879, entitled 'Of schools;'"

Also, Senate bill No. 87, entitled "An act entitled an act to establish an appellate court to be known as the Springfield Court of Appeals, the appointment and election of their judges and their tenure in office, and providing for the appointment of officers and attendants of said court and their compensation," with amendments, which were agreed to;

Also, Senate bill No. 133, entitled "An act conferring certain powers upon cities whose population entitles them to be ranked as cities of the first and second classes, in relation to the inspection of live stock;"

Also, Senate bill No. 94, entitled "An act to establish an academic department in connection with Lincoln Institute for the higher education of the negro race."

Senate bill No. 114, entitled "An act to reduce the compensation of members of the General Assembly to the requirements of the Con-

stitution by amending section 6237 of chapter 124 of the Revised Statutes of 1879," was taken up.

Senator Wood moved that Senate bill No. 114 be indefinitely postponed. The motion was not agreed to by the following vote :

AYES—Senators Allen, Downing, Proctor, Ryors and Sheldon.—5.

NOES—Senators Ball, Castleman, Claycomb, Davisson, Gideon, Jacobs, Johnson of Madison, Kerwin, McGinnis, Mackey, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Wood—19.

ABSENT—Senators Hunter, Johnson of Montgomery, Kelly, Ketchum, Moran and Parcher—6.

ABSENT WITH LEAVE—Senators Harmon, Hazell and Mansfield—3.

SICK—Senator Webster.

Senate bill No. 114 was then ordered engrossed and printed by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Davisson, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks and Taggart—20.

NOES—Senators Allen, Downing, Kerwin, Ryors, Sheldon and Wood—6.

ABSENT—Senators Kelly and Moran—2.

ABSENT WITH LEAVE—Senators Harmon, Hazell, Hunter and Mansfield—4.

SICK—Senators Ketchum and Webster—2.

Senators Webster and Senator Ketchum reported sick.

Senator Hunter granted leave of absence until next Monday.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 289, entitled "An act to prevent physicians, or pretended physicians, from issuing fraudulent prescriptions in this State," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which were read :

MR. PRESIDENT. Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 339, entitled "An act to amend section four of an act entitled 'An act to amend section eight (8) of an act entitled 'An act to regulate the sale of medicines and poisons by

druggists and pharmacists,' approved March 26, 1881, and to add three new sections to said act, approved March 29, 1883,' beg leave to report that they have carefully examined the same and a majority recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 126, entitled "An act to repeal an act entitled 'An act confirming certain powers to the citizens of St. Louis county,' approved March 4, 1887," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred Senate bill No. 346, entitled "An act to prevent repetition of crime and to provide punishment therefor," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 214, entitled "An act authorizing street railroad companies to change the motive power on their roads;"

Also, Senate bill No. 49, entitled "An act to amend section 4 of an act approved March 23, 1883, entitled 'An act to establish a bureau of labor statistics and inspection of factories, mines and workshops throughout this State, and to provide for the appointment of an inspector for same, and to repeal article one of chapter 154 of the Revised Statutes of Missouri of 1879, entitled 'Of statistics;'"

Also, Senate bill No. 17, entitled "An act to amend sections 6569 and 6570 of chapter 139 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of plats;'"

Also, Senate bill No. 39, entitled "An act to amend section 1963 of article 19 of chapter 24 of the Revised Statutes of Missouri, entitled 'Verdict and judgment and proceedings thereon;'"

Also, Senate bill No. 45, entitled "An act to establish a branch county clerk's office in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, and where county courts are now or may hereafter be held at more places than one, and at places other than the county seat;"

Also, Senate bill No. 46, entitled "An act to amend article 19 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' by adding thereto three new sections to be known as sections 1956*a*, 1956*b* and 1956*c*," beg leave to report that they have carefully examined the same and find them truly enrolled.

Senator Sparks introduced Senate bill No. 355, entitled "An act to provide for the condemnation of right of way belonging to railroad companies through canon, pass and defile, and define and limit section 786 of Revised Statutes."

Read first time, rules suspended and bill ordered not printed.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 49, entitled "An act to amend section 4 of an act approved March 23, 1883, entitled 'An act to establish a bureau of labor statistics and inspection of factories, mines and workshops throughout this State, and to provide for the appointment of an inspector for same, and to repeal article one of chapter 154 of the Revised Statutes of Missouri of 1879, entitled 'Of statistics;'"

Also, Senate bill No. 61, entitled "An act to repeal an act entitled 'An act to amend section 1147 of article IV. of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885,' and to enact a new section in lieu thereof;"

Also, Senate bill No. 17, entitled "An act to amend sections 6569 and 6570 of chapter 139 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of plats;'"

Also, Senate bill No. 39, entitled "An act to amend section 1963 of article 19 of chapter 24 of the Revised Statutes of Missouri, entitled 'Verdict and judgment and proceedings thereon;'"

Also, Senate bill No. 45, entitled "An act to establish a branch county clerk's office in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, and where county courts are now or may hereafter be held at more places than one, and at places other than the county seat;"

Also, Senate bill No. 46, entitled "An act to amend article 19 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' by adding thereto three new sections, to be known as sections 1956*a*, 1956*b* and 1956*c*," and announced upon the reading of each bill that unless objection be made he would sign the same to the end that it become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, at the completion of the reading of each bill, affixed his signature thereto. The bills were then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The following Senate bills were ordered engrossed and printed :

Senate bill No. 323, entitled "An act prescribing limitation for

bringing action on special tax bills, special assessments, and for bringing actions for and against property sold for taxes ;”

Senate bill. No 325, entitled “An act to authorize the county court of Wright county to relieve James A. Tate, treasurer of said county, from the payment of money stolen and belonging to said county.”

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 123, entitled “An act to amend section 3229 of article 2, chapter 48 of the Revised Statutes of the State of Missouri, entitled ‘Limitations of actions,’” beg leave to report that they have compared the same and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senate bill No. 129, entitled “An act entitled an act to amend chapter 38, Revised Statutes of Missouri, 1879, entitled ‘Of habeas corpus,’ by adding 2 new sections thereto, to be known as section 2688*a* and section 2688*b*,” was read third time and passed by the following vote :

AYES—Senators Allen, Claycomb, Downing, Gideon, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Wood—19.

NOES—Senators Davisson, Johnson of Madison, Proctor, Ryors and Sheldon—5.

ABSENT—Senators Ball, Kelly and Moran—3.

ABSENT WITH LEAVE—Senators Harmon, Hazell, Hunter, Ketchum and Mansfield—5.

SICK—Senator Webster.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 716, entitled “An act to amend an act entitled ‘An act to amend section one thousand one hundred and forty-eight of the Revised Statutes of the State of Missouri, in relation to courts of record,’ approved February 19, 1885,” was read third time and passed by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—25.

ABSENT—Senators Allen, Kelly and Moran—3.

ABSENT WITH LEAVE—Senators Harmon, Hazell, Hunter, Ketchum and Mansfield—5.

SICK—Senator Webster.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following House bills were read first time:

House joint and concurrent resolution, asking Congress to pass House bill No. 10,359, generally known as the Miller bill, which has for its object the extirpation of contagious pleuro-pneumonia, foot and mouth disease, and rinderpest among cattle, and to facilitate the exportation of cattle and the products of live stock, and for other purposes;

Substitute for House bill No. 179, entitled "An act for the relief of Francis Bracklein;"

House bill No. 247, entitled "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees;'"

House bill No. 606, entitled "An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for cities of the second class."

The following House bills were read second time and referred to committees, as follows:

House bill No. 118, entitled "An act to amend section 3833, chapter 62 of the Revised Statutes of Missouri, entitled 'Of recorders of deeds,'" to Committee on Judiciary.

House bill No. 144, entitled "An act to repeal section 1352 of chapter 24, article 3 of the Revised Statutes of Missouri for the year 1879, relating to crimes and criminal procedure, and to enact in lieu thereof a new section, to be known as section 1352," to Committee on Criminal Jurisprudence.

House bill No. 150, entitled "An act to amend section two of an act entitled 'An act regulating the sale of medicines and poisons by druggists and pharmacists,' approved March 29, 1883, entitled 'Intoxicating liquors,'" to Committee on Criminal Jurisprudence.

House bill No. 268, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' and to repeal section 5623 of said chapter,'" to Committee on Criminal Jurisprudence.

House bill No. 269, entitled "An act to amend section 1532, article 7, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,'" to Committee on University, Public and Normal School Education.

House bill 362, entitled "An act to amend section five (5) of an act

entitled 'Corporations—trust companies,' approved March 20, 1885," to Committee on Corporations other than Railroads and Insurance.

House bill No. 368, entitled "An act to amend section 3299 of chapter 52, entitled 'Of mortgages and deeds of trust,' of the Revised Statutes of Missouri, revision of 1879," to Committee on Judiciary.

House bill No. 596, entitled "An act to amend section 4 of the acts of 1883, approved March 24, 1883, entitled 'An act to repeal sections 1115 and 1128 of article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' and to repeal an act entitled 'An act to amend section 1145, article 3 of chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' approved March 18, 1881, and to repeal an act entitled 'An act to amend section 1157, chapter 23, article 4 of the Revised Statutes of the State of Missouri, in relation to courts of record,' approved March 26, 1881, and to repeal section 1 of an act entitled 'An act to amend sections 1127, 1135 and 1165 of the Revised Statutes, concerning circuit courts, and attaching the county of Taney to the 21st judicial circuit,' approved March 24, 1881, and to enact new sections in lieu of the sections and acts hereby repealed, and to amend an act entitled 'An act to amend section 1158, article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' approved March 11, 1881," to Committee on Judiciary.

House bill No. 689, entitled "An act providing for the holding of two terms of the Lawrence county circuit court at the city of Peirce City, in said county, and prescribing the jurisdiction thereof," to Committee on Judiciary.

House bill No. 385, entitled "An act to provide for the incorporation and regulation of associations, societies or companies doing a life or casualty insurance business on the assessment plan," to Committee on Insurance.

House bill No. 685 entitled "An act to repeal section 1167 of the Revised Statutes of 1879, and all acts amendatory thereof, and to enact a new section in lieu of the same, relating to the holding of circuit courts in the twenty-third circuit, and providing for the holding of circuit courts in the county of Wayne in said circuit, at a place other than the county seat," to Committee on Judiciary.

House bill No. 109, entitled "An act entitled an act to authorize cities of incorporated towns to appropriate money for constructing and repairing gravel, macadamized or graded public roads leading into same and building bridges thereon," to Committee on Corporations other than Railroads and Insurance.

House bill No. 351, entitled "An act to repeal section 1691 of article 10 of chapter 24 of the Revised Statutes of the State of Missouri,

and to enact a new section in lieu thereof," to Committee on Criminal Jurisprudence.

House bill No. 501, entitled "An act to prevent gambling under the guise of trading in stocks, bonds, petroleum, cotton, grain, provisions, or other commodities, and defining bucket shops," to Committee on Criminal Jurisprudence.

House bill No. 177, entitled "An act to provide for the funding of county and township bonds," to Committee on Ways and Means;

House bill No. 300, entitled "An act to repeal an act entitled 'An act to incorporate the town of Brunswick,' approved January 26, 1847; also, to repeal an act entitled an act to amend an act entitled 'An act to incorporate the town of Brunswick,' approved January 26, 1847, approved February 28, 1851, and also, to repeal an act entitled 'An act amendatory of an act entitled 'An act amendatory of an act entitled an act to incorporate the town of Brunswick,' approved March 7, 1870; and also, to repeal an act entitled 'An act to amend an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 1, 1871; and also, to repeal an act entitled 'An act amendatory of and supplementary to an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 23, 1872; and also, to repeal an act entitled 'An act supplementary to and amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 30, 1872;" was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood—23.

NO—Senator Jacobs.

ABSENT—Senators Downing, Kelly, Moran and Smith—4.

ABSENT WITH LEAVE—Senators Harmon, Hazell, Hunter, Ketchum and Mansfield—5.

SICK—Senator Webster.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 227, entitled "An act to repeal sections 7041, 7042 and 7043, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof, to be numbered 7041, 7042 and 7043," was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing

Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—24.

ABSENT—Senators Kelly, Moran and Sears—3.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senator Webster.

The title was read and agreed to.

Senator Taggart moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Gideon moved to reconsider the vote by which the amendment to House bill No. 384, was agreed to. The motion was agreed to.

The vote was taken on the following amendment to House bill No. 384:

Amend House bill No. 384 by striking out the word "seventy-five," in the third and fourteenth lines of section 2 of printed bill, and inserting in lieu thereof the word "fifty." The amendment was not agreed to.

The bill was laid over informally.

House bill No. 19, entitled "An act to amend section 5652, chapter 104 of the Revised Statutes of the State of Missouri, entitled 'Of fences and inclosures,' as amended by act approved March 27, 1885," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Taggart and Wood—20.

NOES—Senators Gideon, Parcher Ryors, Smith and Sparks—5.

ABSENT—Senators Davisson, Kelly and Moran—3.

ABSENT WITH LEAVE—Senators Harmon, Hazell, Hunter, Ketchum and Mansfield—5.

SICK—Senator Webster.

The title was read and agreed to.

House bill No. 370, entitled "An act to repeal section 6196 of the Revised Statutes of the State of Missouri of 1879, relating to swamp lands, and to enact a new section in lieu thereof," was taken up.

Senator Gideon offered the following amendment, which was read first and second times and agreed to:

Amend House bill No. 370 by striking out the following words, "or if having been completed," after the word "commissioners," in the sixth line of printed bill, and before the word "the," in the seventh line of printed bill.

The bill, as amended, was read third time and failed to pass by the following vote:

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—25.

ABSENT—Senator Downing, Kelly and Moran—3.

ABSENT WITH LEAVE—Senators Harmon, Hazell, Hunter, Ketchum and Mansfield—5.

SICK—Senator Webster.

The following reports was received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate, that they have taken up and concurred in Senate amendments to House bills Nos. 64 and 285.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed Senate bill No. 88, entitled "An act to appropriate money for the purpose of erecting additions and making other necessary improvements to Lunatic Asylum number three (3), located at Nevada, Missouri," with an emergency clause which was agreed to.

Senator Wood asked leave to withdraw the resolution offered by him, requesting the Committee on Criminal Jurisprudence to report the House bill repealing the St. Louis Sunday law. The request was granted and the resolution withdrawn.

On motion of Senator Downing, the Senate adjourned till 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Proctor was reported sick.

Substitute for House bill No. 47, entitled "An act to amend section 6060 of article 5 of chapter 119 of the Revised Statutes of Missouri, entitled 'Of insurance,'" was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart and Wood—22.

ABSENT—Senators Jacobs, Kelly, Ryors and Simrall—4.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senator Proctor and Webster—2.

The title was read and agreed to.

Senator Castleman moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 89, entitled "An act to amend section 1 of an act entitled 'An act to amend section 3311 of chapter 52 of Revised Statutes, 1879, of Missouri, entitled 'Of mortgages and deeds of trust,' approved March 26, 1881,'" was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Downing, Gideon, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart and Wood—21.

ABSENT—Senators Davisson, Jacobs, Kelly, Ryors and Simrall—5.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senator Proctor and Webster—2.

The title was read and agreed to.

Senator Johnson of Montgomery moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 155, entitled "An act to amend section 3705, article 10, chapter 59, entitled 'Of practice in civil cases,'" was read third time and passed by the following vote:

AYES—Senators Ball, Claycomb, Gideon, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart and Wood—19.

NO—Senator Castleman.

ABSENT—Senators Davisson, Downing, Jacobs, Kelly, Ryors and Simrall—6.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 126 was laid over informally.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 96, entitled "An act to amend section 2599 of chapter 37 of the Revised

Statutes of Missouri of 1879, entitled 'Of guardians and curators,' as amended by an act approved March 28, 1885," and announced that unless objection be made, he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

House bill No. 345, entitled "An act to repeal section 925, chapter 21, article 8 of the Revised Statutes of the State of Missouri, and to enact a new section in lieu thereof," was taken up and Senator Sears offered the following amendment, which was read first and second times and agreed to:

Section 1. That section 925, chapter 21, article 8 of the Revised Statutes of Missouri, amended by an act entitled "An act to amend section 925, chapter 21, article 8 of the Revised Statutes of Missouri, 'Of corporations,' approved March 20, 1885, be and the same is hereby repealed and a new section enacted in lieu thereof, as follows."

The bill, as amended, was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Mackey, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—23.

NO—Senator McGinnis.

ABSENT—Senators Kelly and Ryors—2.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

Senator Sears offered the following amendment to the title, which was read and agreed to:

"An act to repeal section 925, chapter 21, article 8 of the Revised Statutes of 1879, as amended by an act entitled 'An act to amend section 925, chapter 21, article 8 of the Revised Statutes of Missouri, 'Of corporations,' approved March 20, 1885, and to enact a new section in lieu thereof relating to the same subject.'"

The title, as amended, was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 84, entitled "An act to provide for locating and erecting a State reformatory school for boys," was recommitted to the Committee on Criminal Jurisprudence.

House bill No. 551, entitled "An act to authorize the several counties of this State and the county seats thereof to erect, maintain

and use court houses and jails jointly," was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—24.

ABSENT—Senators Kelly and Ryors—2.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

The title was read and agreed to.

Senator Johnson of Montgomery moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 141 entitled "An act to amend an act entitled 'Druggists—intoxicating liquors,' approved March 29, 1883, by adding a new section thereto, relieving registered druggists from serving as jurors," was read third time and failed to pass by the following vote:

AYES—Senators Davisson, Downing, Gideon, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Sears, Sebree and Simrall—10.

NOES—Senators Ball, Castleman, Claycomb, Jacobs, Johnson of Madison, Parcher, Saltonstall, Seabourn, Sheldon, Smith, Sparks, Taggart and Wood—13.

ABSENT—Senator Kelley, Moran and Ryors—3.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senator Proctor and Webster—2.

House bill No. 38, entitled "An act providing for the holding of two terms of the Linn county circuit court at the city of Brookfield, in said county, and prescribing the jurisdiction thereof," was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Mackey, Parcher, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Taggart and Wood—20.

NOES—Senators Sebree and Sparks—2.

ABSENT—Senators Kelly, McGinnis, Moran and Ryors—4.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill

passed, and lay that motion on the table. The latter motion prevailed by the following vote:

AYES—Senators Davisson, Downing, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Mackey, Parcher, Ryors, Seabourn, Sears, Sheldon, Simrall, Smith and Wood—16.

NOES—Senators Ball, Castleman, Claycomb, McGinnis, Saltonstall, Sebree, Sparks and Taggart—8.

ABSENT—Senators Kelly and Moran—2.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

House bill No. 251, entitled "An act concerning assessment lists, merchants' statements, bonds of road overseers, statements of road overseers, petitions for dramshop license and bonds of dramshop keepers, and authorizing the county courts of the several counties of the State to make orders for the destruction of the same," was taken up.

Senator Gideon offered the following amendment, which was read and not agreed to:

Strike out in the sixth line of printed bill, after the word "and" and before the word "on," in the seventh line of printed bill, the following words: "and bonds of dramshop keepers."

Senator Gideon offered the following amendment, which was not agreed to:

Strike out all after the word "act," in the fifth line of printed bill of section 2.

The bill was read third time and failed to pass by the following vote:

AYES—Senators Gideon, Kerwin, Seabourn, Sears and Sheldon—5.

NOES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Jacobs, Johnson of Madison, Johnson of Montgomery, McGinnis, Mackey, Parcher, Ryors, Saltonstall, Sebree, Simrall, Smith, Sparks, Taggart and Wood—19.

ABSENT—Senators Kelly and Moran—2.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

Senator Ryors moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 140, entitled "An act to amend section 2121 of the Revised Statutes of the State of Missouri," was read third time and failed to pass by the following vote:

AYES—Senators Ball, Davisson, Gideon, Jacobs, Johnson of Madi-

son, Johnson of Montgomery, Kerwin, McGinnis, Parcher, Sears, Seebree and Taggart—12.

NOES—Senators Castleman, Claycomb, Downing, Mackey, Ryors, Saltonstall, Seabourn, Simrall, Smith, Sparks and Wood—11.

ABSENT—Senators Kelly, Moran and Sheldon—3.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

House bill No. 395 was laid over informally.

Substitute for House bill No. 199, entitled "An act for the protection of the owners or keepers of stallions, jacks and bulls, and to prevent fraudulent pedigrees," was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Davisson, Downing, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Ryors, Saltonstall, Seabourn, Sears, Seebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—23.

NO—Senator Claycomb.

ABSENT—Senators Kelly and Moran—2.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

The title was read and agreed to.

Senator Johnson of Montgomery moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Wood submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 109, entitled "An act to authorize cities and incorporated towns to appropriate money for constructing and repairing gravel, macadamized or graded public roads leading into same, and building bridges thereon," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 289, entitled "An act to prevent physicians, or pretended physicians, from issuing fraudulent prescriptions in this State," was taken up, rules suspended and bill read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Downing, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGin-

nis, Mackey, Moran, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—21.

NO—Senator Ryors.

ABSENT—Senators Davisson, Parcher, Proctor and Sears—4.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Kelly, Mansfield and Webster—7.

SICK—Senator Ketchum.

The title was read and agreed to.

Senator Seabourn moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

House bill No. 397, entitled "An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' by adding a new section thereto, to be known as section 5003a," was read third time and passed by the following vote:

AYES—Senators Castleman, Claycomb, Davisson, Downing, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Moran, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—22.

ABSENT—Senators Ball, Kelly, Parcher and Ryors—4.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

The title was read and agreed to.

Senator Taggart moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Leave of absence was granted Senator Proctor after to-day until Tuesday.

Senate bill No. 78, entitled "An act to amend section 2 of an act entitled 'Druggists—intoxicating liquors,' approved March 29, 1883," was read third time and failed to pass by the following vote:

AYES—Senators Ball, Castleman, Downing, Gideon, Jacobs, Johnson of Madison, Kerwin, Mackey, Ryors, Seabourn, Sheldon, Smith, Taggart and Wood—14.

NOES—Claycomb, Johnson of Montgomery, McGinnis, Moran, Saltonstall, Sears, Sebree, Simrall and Sparks—9.

ABSENT—Senators Davisson, Kelly and Parcher—3.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

House bill No. 85, entitled "An act to prevent the use of any substitute for hops, or pure extract of hops, in the manufacture of ale or beer, and to preserve the public health," was taken up.

Senator McGinnis offered the following amendment, which was read and agreed to:

Senate amendment to House bill No. 85. Amend House bill No. 85, line 5, printed bill, by striking out the word "fifty" and inserting the words "five hundred." Amend line 6, printed bill, by striking out the word "hundred" and inserting the word "thousand."

The bill, as amended, was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Downing, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—22.

ABSENT—Senators Davisson, Kelly, Moran and Parcher—4.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

The title was read and agreed to.

Senator McGinnis moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Jacobs granted leave of absence until 2 o'clock Monday.

Senate bill No. 100, entitled "An act to amend an act entitled 'An act to amend section 5459 of chapter 98, Revised Statutes of 1879, entitled 'Of dramshops,'" approved March 17, 1885, was read third time and failed to pass by the following vote:

AYES—Senators Ball, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Ryors, Seabourn, Sears, Sheldon, Smith and Wood—11.

NOES—Senators Castleman, Claycomb, Davisson, Downing, Kerwin, McGinnis, Mackey, Saltonstall, Sebree, Simrall, Sparks and Taggart—12.

ABSENT—Senators Kelly, Moran and Parcher—3.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

Senate bill No. 316, entitled "An act to provide for the *per diem* compensation of the Speaker of the House of Representatives as such," was read third time and failed to pass by the following vote:

AYES—Senators Claycomb, Davisson, Jacobs, Johnson of Madison, Kerwin, McGinnis, Mackey, Saltonstall, Sebree, Simrall, Sparks and Taggart—12.

NOES—Senators Ball, Castleman, Downing, Gideon, Johnson of Montgomery, Ryors, Sears, Sheldon, Smith and Wood—10.

ABSENT—Senators Kelly, Moran, Parcher and Seabourn—4.

ABSENT WITH LEAVE—Senators Allen, Harmon, Hazell, Hunter, Ketchum and Mansfield—6.

SICK—Senators Proctor and Webster—2.

Senate bill No. 327 was laid over informally.

On motion of Senator McGinnis, the Senate adjourned until to-morrow morning at 9:30 o'clock.

FIFTIETH DAY—SATURDAY, March 12, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following communication was received from the House of Representatives through Chief Clerk, Mr. Hornbuckle, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 66, entitled "An act to repeal sections 1625 and 1627, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,' and to enact a new section in lieu thereof;"

Also, House bill No. 328, entitled "An act providing for the organization of levee districts by the owners in any contiguous body of land situate in one or more counties in this State and bordering on, situate near or subject to overflow by the rivers of this State, to prevent and to protect such lands from such overflows;"

Also, House bill No. 289, entitled "An act to amend an act entitled 'An act amending section 1215, article 4, chapter 23 of the Revised Statutes of Missouri of 1879, entitled 'Of county courts,' " approved February 16, 1883, relating to the compensation of the judges;

Also, House bill No. 457, entitled "An act to amend section 1158 of article 4, chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' as amended by an act approved March 24, 1883;"

Also, House bill No. 530, entitled "An act to amend an act entitled 'An act to amend section 1154 of article 4, chapter 23 of the Revised Statutes of 1879, entitled 'Courts of record,' changing the time of holding courts in Pemiscot and Mississippi counties,' approved February 26, 1885;"

Also, House bill No. 453, entitled "An act for the relief of the heirs of Morgan Sullivan, deceased, and James Dodds, and to appropriate money therefor;"

Also, House bill No. 21, entitled "An act to provide for placing electrical conductors under ground in cities now containing or that may hereafter contain three hundred thousand inhabitants or more;"

Also, House bill No. 688, entitled "An act to amend section one (1) of an act entitled 'An act to amend section 1182, chapter 23 of the Revised Statutes of Missouri, entitled 'Of courts of record,' approved March 24, 1883;"

Also, House bill No. 634, entitled "An act to amend section 7139 of article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools;"

Also, House bill No. 410, entitled "An act to amend an act entitled 'An act to provide for the re-recording of conveyances in case of destruction of the record thereof,' approved March 18, 1885;"

Also, substitute for House bill No. 565, entitled "An act to amend section 5441 of chapter 98 of article 5 of the Revised Statutes of Missouri of 1879, 'Of dramshops,' as amended by an act approved March 24, 1883;"

Also, substitute for House bill No. 205, entitled "An act authorizing executors and administrators to borrow money to pay debts;"

Also, joint and concurrent resolution No. 2, entitled "Joint and concurrent resolution looking toward locking and damming the Osage river;"

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 328, entitled "An act to provide for the consolidation of municipal corporations, arranging the wards therein, and providing for elections after such consolidation," with amendments, which were agreed to, and an emergency clause, which was adopted.

Senator Sears submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was re-

ferred House bill No. 118, entitled "An act to amend section 3833, chapter 62 of the Revised Statutes, entitled 'Of recorders of deeds,' beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 685, entitled "An act to repeal section 1167 of the Revised Statutes of 1879, and all acts amendatory thereof, and to enact a new section in lieu of the same, relating to the holding of circuit courts in the twenty-third circuit and providing for the holding of circuit courts in the county of Wayne in said circuit, at a place other than the county seat," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 277, entitled "An act to create county and other local boards of health, defining their duties and powers, and providing for the compensation of their members and officers," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 368, entitled "An act to amend section 3299 of chapter 52, entitled 'Of mortgages and deeds of trust,' of Revised Statutes of Missouri, Revision of 1879," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 355, entitled "An act to provide for the condemnation of right of way belonging to railroad companies through canons, passes and defiles, and to limit section 786 of the Revised Statutes," was read second time and referred to Committee on Railroads and Internal Improvements.

The following house bills were read first time :

Joint and concurrent resolution No. 2, looking toward the locking and damming the Osage river ;

Also, substitute for House bill No. 205, entitled "An act authorizing executors and administrators to borrow money to pay debts ;"

Also, substitute for House bill No. 565, entitled "An act to amend section 5441 of chapter 93 of article 5 of the Revised Statutes of Missouri of 1879, 'Of dramshops,' as amended by an act approved March 24, 1883 ;"

Also, House bill No. 410, entitled "An act to amend an act entitled 'An act to provide for the re-recording of conveyances in case of destruction of the record thereof,' approved March 18, 1885 ;"

Also, House bill No. 634, entitled "An act to amend section 7139 of article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools ;' "

Also, House bill No. 688, entitled "An act to amend section one (1) of an act entitled 'An act to amend section 1182, chapter 23 of the Revised Statutes of Missouri, entitled 'Of courts of record,' approved March 24, 1883 ;"

Also, House bill No. 21, entitled "An act to provide for placing electrical conductors under ground in cities now containing or that may hereafter contain three hundred thousand inhabitants or more ;"

Also, House bill No. 453, entitled "An act for the relief of the heirs of Morgan Sullivan, deceased, and James Dodds, and to appropriate money therefor ;"

Also, House bill No. 530, entitled "An an to amend an act entitled 'An act to amend section 1154 of article 4, chapter 23 of the Revised Statutes of 1879, entitled 'Courts of record,' changing the time of holding courts in Pemiscot and Mississippi counties, approved February 26, 1885 ;"

Also, House bill No. 457, entitled "An act to amend section 1158 of article 4, chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' as amended by an act approved March 24, 1883 ;"

Also, House bill No. 289, entitled "An act to amend an act entitled 'An act amending section 1215, article 4, chapter 23 of the Revised Statutes of Missouri of 1879, entitled 'Of county courts,' approved February 16, 1883, relating to the compensation of the judges ;"

Also, House bill No. 328, entitled "An act providing for the organization of levee districts by the owners in any contiguous body of land situate in one or more counties in this State, and bordering on, situate near or subject to overflow by the rivers of this State, to prevent and to protect such lands from such overflows ;"

House bill No. 66, entitled "An act to repeal sections 1625 and 1627, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,' and to enact a new section in lieu thereof."

The following House bills were read second time and referred to committees, as follows :

House bill No. 179, entitled "An act for the relief of Francis Bracklein," to Committee on Ways and Means.

House bill No. 247, entitled "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees,' to Committee on Criminal Jurisprudence.

House bill No. 606, entitled "An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for cities of the second class," to Committee on Corporations other than Railroads and Insurance.

House joint and concurrent resolution No. 10, entitled asking

Congress to pass House bill No. 10,359, generally known as the Miller bill, which has for its object the extirpation of contagious pleuropneumonia, foot and mouth disease, and rinderpest among cattle, and to facilitate the exportation of cattle and the products of live stock, and for other purposes, was indefinitely postponed.

Senate bill No. 225, entitled "An act to amend an act entitled 'An act to repeal section 807, chapter 21, article 2 of the Revised Statutes of Missouri, entitled 'Of railroads,' and enact a new section in lieu thereof, so as to define what an easy grade shall be under said act, and to prescribe what distance it shall be made," was indefinitely postponed.

Senate bill No. 346, entitled "An act to prevent the repetition of crime, and to provide punishment therefor," was indefinitely postponed.

Senator Sears submitted the following reports from the Committee on Enrolled Bills, which were read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 76, entitled "An act to amend section 2 of article 1 of chapter 1 of the Revised Statutes of the State Missouri of 1879, entitled 'Of the administration of the estates of deceased persons ;' "

Also, Senate bill No. 82, entitled "An act to amend section 2513, chapter 35 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of frauds and perjuries ;' "

Also, Senate bill No. 83, entitled "An act to repeal certain parts of an act entitled an act to amend sections 1159 of article 4, chapter 23 of the Revised Statutes of Missouri of 1879, relating to courts of record, approved January 31, 1885 ; "

Also, Senate bill No. 36, entitled "An act to amend article 9 of chapter 145 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Taxation of bridges and telegraph and express franchises,' by adding thereto a new section to be known as section 6904a ; "

Also, Senate bill No. 59, entitled "An act providing for the appointment of a county counselor in counties now containing or that hereafter may contain seventy-five thousand inhabitants or more, prescribing their qualifications and duties, and providing for their compensation ; "

Also, Senate bill No. 61, entitled "An act to repeal an act entitled 'An act to amend section 1147 of article IV. of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885, and to enact a new section in lieu thereof ; "

Also, Senate bill No. 89, entitled "An act to amend section 7095, article 1, chapter 150, Revised Statutes of Missouri of 1879, entitled 'Of schools;'"

Also, Senate bill No. 94, entitled "An act to establish an academic department in connection with Lincoln Institute for the higher education of the negro race;"

Also, Senate bill No. 133, entitled "An act conferring certain powers upon cities whose population entitles them to be ranked as cities of the first and second classes, in relation to the inspection of live stock," beg leave to report that they have carefully examined the same and find them truly enrolled.

The President announced that all other business would be suspended and directed the Secretary to read at length, Senate bill No. 89, entitled "An act to amend section 7095, article I., chapter 150, Revised Statutes of Missouri of 1879, entitled 'Of schools;'"

Also, Senate bill No. 94, entitled "An act to establish an academic department in connection with Lincoln Institute for the higher education of the negro race;"

Also, Senate bill No. 133, entitled "An act conferring certain powers upon cities whose population entitles them to be ranked as cities of the first and second classes, in relation to the inspection of live stock;"

Also, Senate bill No. 36, entitled "An act to amend article 9 of chapter 145 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Taxation of bridges and telegraph and express franchises,' by adding thereto a new section to be known as section 6904a;"

Also, Senate bill No. 59, entitled "An act providing for the appointment of a county counselor in counties now containing or that hereafter may contain seventy-five thousand inhabitants or more, prescribing their qualifications and duties, and providing for their compensation;"

Also, Senate bill No. 61, entitled "An act to repeal an act entitled 'An act to amend section 1147 of article IV. of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885, and to enact a new section in lieu thereof;"

Also, Senate bill No. 76, entitled "An act to amend section 2 of article 1 of chapter 1 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of the administration of the estates of deceased persons;'"

Also, Senate bill No. 82, entitled "An act to amend section 2513, chapter 35 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of frauds and perjuries;'"

Also, Senate bill No. 83, entitled "An act to repeal certain parts of an act entitled 'An act to amend section 1159 of article 4, chapter 23

of the Revised Statutes of Missouri of 1876, relating to courts of record,' approved January 31, 1885," and announced on the reading of each bill that unless objection be made, he would sign the same to the end that it become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, at the completion of the reading of each bill, affixed his signature thereto. The bills were then taken to the House of Representatives, read at length and signed by the Speaker and immediately presented to the Governor by the Secretary, for his approval.

Senator Castleman introduced Senate bill No. 356, entitled "An act to regulate the practice of architecture in the State of Missouri," which was read first time, rules suspended and bill ordered not printed.

Senator McGinnis introduced Senate bill No. 357, entitled "An act to amend section 7, article 4 of an act entitled 'An act to consolidate into one act the various acts in relation to the charter of Hannibal,' approved March 4, 1873," which was read first time, rules suspended and bill ordered not printed.

House bill No. 4, entitled "An act to repeal chapter 112 of the Revised Statutes of Missouri of 1879, entitled 'Of immigration,'" was read third time and failed to pass by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Johnson of Montgomery, Kerwin, Mackey, Parcher, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—17.

NOES—Senators Gideon, McGinnis and Webster—3.

ABSENT—Senators Jacobs, Johnson of Madison, Kelly, Moran, Ryors and Seabourn—6.

ABSENT WITH LEAVE—Senators Allen, Downing, Harmon, Hazell, Hunter, Ketchum, Mansfield and Proctor—8.

The rules were suspended, and House bill No. 685, entitled "An act to repeal section 1167 of the Revised Statutes of 1879, and all acts amendatory thereof, and to enact a new section in lieu of the same, relating to the holding of circuits court in the twenty-third circuit, and providing for the holding of circuits courts in the county of Wayne in said circuit, at a place other than the county seat," was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Gideon, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—21.

ABSENT—Senators Johnson of Madison, Kelly, Moran, Ryors and Seabourn—5.

ABSENT WITH LEAVE—Senators Allen, Downing, Harmon, Hazell, Hunter, Ketchum, Mansfield and Proctor—8.

The emergency clause was not adopted by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Gideon, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Ryors, Saltonstall, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—21.

NO—Senator Smith.

ABSENT—Senators Johnson of Madison, Kelly, Moran and Seabourn—4.

ABSENT WITH LEAVE—Senators Allen, Downing, Harmon, Hazell, Hunter, Ketchum, Mansfield and Proctor—8.

The title was read and agreed to.

House bill No. 109, entitled "An act entitled an to authorize cities and incorporated towns to appropriate money for constructing and repairing gravel, macadamized or graded public roads leading into same, and building bridges thereon," was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Gideon, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Ryors, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—22.

ABSENT—Senators Kelly, Moran and Seabourn—3.

ABSENT WITH LEAVE—Senators Allen, Downing, Harmon, Hazell, Hunter, Johnson of Madison, Ketchum, Mansfield and Proctor—9.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

On motion of Senator McGinnis, the Senate took a recess of 20 minutes.

AFTERNOON SESSION.

The hour of recess having expired, the President called the Senate to order.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 448, entitled "An act providing for police judges in cities of the fourth class;"

Also, House bill No. 500, entitled "An act to repeal section 2 of an act entitled 'An act to organize municipal townships in all counties

that have not adopted township organization, into bodies corporate for road purposes only, and to create a board of township road commissioners therein, with defined powers and duties,' approved March, 31, 1883, and to enact a new section in lieu thereof;"

Also, House bill No. 707, entitled "An act to appropriate money for the support of the State government for the years 1887 and 1888;"

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed substitute for Senate bill No. 301, entitled "An act to amend chapter 167 of the Revised Statutes of Missouri of 1879, entitled 'Of weights and measures,' by adding a new section thereto, to be known as section 7668*a*, relating to flour sold in packages, and providing a penalty for the violation thereof," with an amendment, which was agreed to;

Also, Senate bill No. 261, entitled "An act granting to the common schools in townships in which saloons may be situated one third of the county revenue derived by the county from such saloon license."

The following House bills were read first time:

House bill No. 707, entitled "An act to appropriate money for the support of the State government for the years 1887 and 1888;"

House bill No. 448, entitled "An act providing for police judges in cities of the fourth class;"

House bill No. 500, entitled "An act to repeal section 2 of an act entitled "An act to organize municipal townships in all counties that have not adopted township organization, into bodies corporate for road purposes only, and to create a board of township road commissioners therein, with defined powers and duties,' approved March 31, 1883, and to enact a new section in lieu thereof."

Senator Taggart introduced Senate bill No. 358, entitled "An act to authorize cities and towns incorporated under special charters to license and tax and regulate billiard, pool, shuffle-board, bagatelle, pigeon hole and other tables," which was read first time and 75 copies ordered printed.

On motion of Senator Castleman, the Senate adjourned until 2 o'clock Monday.

FIFTY-FIRST DAY—MONDAY, March 14, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

The following Senate bills were read second time and referred to committees, as follows:

Senate bill No. 358, entitled "An act to authorize cities and towns incorporated under special charters to license and tax and regulate billiard, pool, shuffle-board, bagatelle, pigeon hole and other tables," to Committee on Corporations other than Railroads and Insurance;

Senate bill No. 356, entitled "An act to regulate the practice of architecture in the State of Missouri," to Committee on Judiciary.

Senate bill No. 357, entitled "An act to amend section 7, article 4 of an act entitled 'An act to consolidate into one act the various acts in relation to the charter of Hannibal,' approved March 4, 1873," to Committee on Corporations other than Railroads and Insurance;

Senate bill No. 277, entitled "An act to create county and other local boards of health, defining their duties and powers, and providing for the compensation of their members and officers," was ordered engrossed and printed.

The following House bills were read second time and referred to committees, as follows:

House bill No. 707, entitled "An act to appropriate money for the support of the State government for the years 1887 and 1888," to Committee on Appropriations;

House bill No. 21, entitled "An act to provide for placing electrical conductors under ground in cities now containing or that may hereafter contain three hundred thousand inhabitants or more," to Committee on Corporations other than Railroads and Insurance;

House bill No. 530, entitled "An act to amend an act entitled 'An act to amend section 1154 of article 4, chapter 23 of the Revised Statutes of 1879, entitled 'Courts of record,' changing the time of holding courts in Pemiscot and Mississippi counties, approved February 26, 1885," to Committee on Judiciary;

House bill No. 66, entitled "An act to repeal sections 1625 and 1627, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,' and to enact a new section in lieu thereof," to Committee on Criminal Jurisprudence;

House bill No. 453, entitled "An act for the relief of the heirs of Morgan Sullivan, deceased, and James Dodds, and to appropriate money therefor," to Committee on Ways and Means;

House bill No. 688, entitled "An act to amend section one (1) of an act entitled 'An act to amend section 1182, chapter 23 of the Revised Statutes of Missouri, entitled 'Of courts of record,' approved March 24, 1883," to Committee on Judiciary;

House bill No. 289, entitled "An act to amend an act entitled 'An act amending section 1215, article 4 of chapter 23 of the Revised Statutes of Missouri of 1879, entitled 'Of county courts,' approved February 16, 1883, relating to the compensation of the judges," to Committee on Ways and Means;

House bill No. 457, entitled "An act to amend section 1158 of article 4, chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' as amended by an act approved March 24, 1883," to Committee on Judiciary;

House bill No. 634, entitled "An act to amend section 7139 of article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,'" to Committee on University, Public and Normal School Education;

House bill No. 410, entitled "An act to amend an act entitled 'An act to provide for the re-recording of conveyances in case of destruction of the record thereof,' approved March 18, 1885," to Committee on Judiciary;

House bill No. 328, entitled "An act providing for the organization of levee districts by the owners in any contiguous body of land situate in one or more counties in this State and bordering on, situate near or subject to overflow by the rivers of this State, to prevent and to protect such lands from such overflows," to Committee on State and Swamp Lands;

Substitute for House bill No. 205, entitled "An act authorizing executors and administrators to borrow money to pay debts," to Committee on Judiciary;

Substitute for House bill No. 565, entitled "An act to amend section 5441 of chapter 98 of article 5 of the Revised Statutes of Missouri of 1879, 'Of dramshops,' as amended by an act approved March 24, 1883," to Committee on Corporations other than Railroads and Insurance;

House bill No. 500, entitled "An act to repeal section 2 of an act entitled 'An act to organize municipal townships in all counties that have not adopted township organization into bodies corporate for road purposes only, and to create a board of township road commissioners therein, with defined powers and duties,' approved March 31, 1883, and

to enact a new section in lieu thereof," to Committee on Agriculture, Roads and Highways;

House bill No. 448, entitled "An act providing for police judges in cities of the fourth class," to Committee on Corporations other than Railroads and Insurance;

House joint and concurrent resolution No. 2 looking toward locking and damming the Osage river, to Committee on Federal Relations.

The following House amendment to Senate bill No. 328 was taken up:

Amend Senate bill No. 328 by adding to section five the following: "And all ordinances in force in each municipality as may consolidate under the provisions of this bill at the time of such consolidation, shall be and remain in force until changed or repealed by the consolidated city."

The amendment was read first and second times and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Moran, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—26.

ABSENT—Senators Parcher and Webster—2.

ABSENT WITH LEAVE—Senators Downing, Harmon, Ketchum, Mackey, Mansfield and Proctor—6.

The following House amendment to Senate bill No. 33 was taken up:

Amend Senate bill No. 33 by striking out the title thereof and inserting in lieu thereof the following: "An act to amend section 1367 of article three of chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure,' and 'Offenses against public and private property.'"

The amendment was read first and second time and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—26.

ABSENT—Senators Johnson of Madison and Ketchum—2.

ABSENT WITH LEAVE—Senators Downing, Harmon, Mackey, Mansfield, Proctor, and Webster—6.

Senator Ball offered the following resolution, which was read and adopted:

Resolved, That the President of the Senate appoint a committee of three to report to the Senate what clerical force is necessary, in addition to the Secretary and Assistant Secretary, to finish up the business and records of the final adjournment.

The following House amendment to substitute for Senate bill No. 301 was taken up :

Amend substitute for Senate bill No. 301 by striking out the figures "23," in line eight, printed bill, and insert in lieu thereof the figures "24."

The amendment was read first and second times and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senator Ketchum.

ABSENT WITH LEAVE—Senators Downing, Harmon, Mackey, Mansfield and Proctor—5.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 84, entitled "An act entitled an act to create a reformation school, etc.," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying substitute.

The substitute was read first and second times and agreed to.

The rules were suspended, and substitute for House bill No. 84, entitled "An act to provide for locating and erecting a State reform school for boys," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Castleman, Davisson, Gideon, Hazell, Jacobs, Kelly, Kerwin, Moran, Ryors, Seabourn, Simrall, Smith, Taggart and Webster—15.

NOES—Senators Ball, Claycomb, Hunter, Johnson of Madison, Johnson of Montgomery, McGinnis, Parcher, Saltonstall, Sears, Sebree, Sparks and Wood—12.

ABSENT—Senator Sheldon.

ABSENT WITH LEAVE—Senators Downing, Harmon, Ketchum, Mackey, Mansfield and Proctor—6.

Senator Ball submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom

was referred House bill No. 177, entitled "An act to provide for the funding of county and township bonds," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments.

The following amendments to House bill No. 177 were taken up:

No. 1. Amend section one of House bill No. 177 by striking out the word "twenty," in line twenty, and insert "thirty."

The amendment was read first and second times and agreed to.

No. 2. Amend section one of House bill No. 177 by inserting between the words "bonds" and "shall," in the 27th line of said section, the following: Except in the several counties in this State which have heretofore compromised and funded bonds or indebtedness for themselves or the municipal townships thereof.

The amendment was read first and second times and agreed to.

No. 3. Amend section one of House bill No. 177 by adding the following to section one: *Provided*, that the several counties in this State which have heretofore compromised and funded bonds or indebtedness for themselves or the municipal townships thereof, are hereby authorized and empowered to refund the same or any part thereof, without an election as provided by this act.

The amendment was read first and second times and agreed to.

Senator Mansfield was granted leave of absence until next Thursday.

The rules were suspended and House bill No. 177, entitled "An act to provide for the funding of county and township bonds," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Moran and Sebree—2.

ABSENT WITH LEAVE—Senators Downing, Harmon, Ketchum, Mackey, Mansfield and Proctor—6.

The title was read and agreed to.

Senator Ball moved that the vote by which the bill passed be reconsidered, and that motion laid on the table. The latter motion prevailed.

Senator Wood moved to reconsider the vote by which the emergency clause to Senate bill No. 685 failed to pass on Saturday. The motion was agreed to.

The emergency clause was again put upon its passage and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Moran, Parcher, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Tagart, Webster and Wood—25.

NO—Senator Johnson of Madison.

ABSENT—Senators Downing, Kelly, Ketchum, Ryors and Seabourn—5.

ABSENT WITH LEAVE—Senators Mackey, Mansfield and Proctor—3.

The title was read and agreed to.

Senator Smith moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read :

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 325, entitled "An act to authorize the county court of Wright county to relieve James A. Tate, treasurer of said county, from the payment of money stolen and belonging to said county ;"

Also, Senate bill No. 42, entitled "An act to repeal sections Nos. 1917 and 1918 of article No. 18 of chapter No. 24 of the Revised Statutes of Missouri of A. D. 1879, entitled 'Of crimes and criminal procedure,' and to enact a new section in lieu thereof, to be designated as section No. 1918 ;"

Also, Senate bill No. 314, entitled "An act to prevent any person circulating petition for a dramshop license from forging, procuring or allowing to be forged any name or names thereon, and prevent such license from being granted, and providing for appeal to the circuit court ;"

Also, Senate bill No. 114, entitled "An act to reduce the compensation of members of the General Assembly to the requirements of the Constitution by amending section 6237 of chapter 124 of the Revised Statutes of 1879 ;"

Also, substitute for Senate bill No. 230, entitled "An act to authorize the granting of a license to merchants and others, to regulate the sale of intoxicating liquors by the gallon, and repeal all acts not consistent therewith ;"

Also, Senate bill No. 323, entitled "An act prescribing limitation for bringing action an special tax bills, special assessments, and for bringing actions for and against property sold for taxes," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

House bill No. 420, entitled "An act to amend an act entitled 'An act to amend section 5632 of the Revised Statutes relating to fees, approved March 23, 1881,'" was taken up.

Senator Castleman offered the following amendment, which was read first and second times and agreed to:

Senate amendment to House bill No. 420. Amend by adding the following at end of bill: "*Provided*, that the amount so to be paid out of the treasury of such counties and cities shall not in any one year exceed the sum of one thousand (1000) dollars."

The bill, as amended, was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Hunter, Moran, Parcher and Ryors—4.

ABSENT WITH LEAVE—Senators Ketchum, Mackey, Mansfield and Proctor—4.

The title was read and agreed to.

Senator Castleman moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 484, entitled "An act to amend an act entitled 'An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' approved March 24, 1885;'"

Also, House bill No. 151, entitled "An act to amend section 974 of chapter 21, article 10 of the Revised Statutes of Missouri, entitled 'Of benevolent, religious, scientific, educational and miscellaneous associations,' as amended by an act approved February 8, 1881," with an emergency clause, which was agreed to;

Also, House bill No. 278, entitled "An act to prohibit the keeping of any house, room or place to be used for the purpose of smoking opium, or any other deadly drug, and providing a penalty therefor;"

Also, House bill No. 422, entitled "An act to prohibit any sheriff, mayor, constable or other peace officer from appointing certain persons as special deputies or special policemen;"

Also, House bill No. 517, entitled "An act concerning the introduction into, and outbreak within the State of dangerous, contagious and infectious diseases of live stock;"

Also, House bill No. 679, entitled "An act to make T. O. Tucker's abstracts of land titles in Douglas county, or certified copies of the entries therein, evidence in all courts and places in this State," in which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed the House, Senate bill No. 322, entitled "An act relating to stenographers for certain criminal courts," with an emergency clause, which was adopted;

Also, Senate joint and concurrent resolution No. 12, "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means proper in their legislative capacity to secure an appropriation of fifty thousand dollars for the purpose of straightening Grand river;"

Also, Senate bill No. 23, entitled "An act to authorize the board of public improvements of any city in this State to audit and allow claims against such city for work done and materials furnished on any street or highway under a contract with such city;"

Also, Senate bill No. 62, entitled "An act to repeal section 6334, chapter 129 of the Revised Statutes of Missouri of 1879, entitled 'Of merchants' licenses,' and to enact a new section in lieu thereof;"

Also, Senate bill No. 178, entitled "An act to authorize county courts to provide for the payment and to pay for bridges, court houses, jails or other public buildings erected or repaired, or for improvements thereon in certain cases," with amendments, which were agreed to, and emergency clause, which was rejected;

Also, Senate bill No. 339, entitled "An act to amend an act entitled 'An act to amend an act entitled an act to amend section 1155, article 4, chapter 23 of the Revised Statutes of Missouri, 'Circuit courts,' approved March 18, 1885;"

Also, Senate bill No. 202, entitled "An act to prohibit the sale of intoxicating liquors within (3) three miles of the Avalon college, situated in Livingston county, Missouri;"

Also, Senate bill No. 50, entitled "An act to repeal section 5365 of article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Organization of counties;"

Also, Senate bill No. 102, entitled "An act to repeal section 1881 of chapter 24, article 27 of the Revised Statutes of Missouri of 1879, in relation to changes of venue in criminal cases, and to enact a new section in lieu thereof relating to the same subject," with an emergency clause, which was adopted;

Also, Senate bill No. 115, entitled "An act defining the duties of

circuit and prosecuting attorneys and assistant circuit and prosecuting attorneys of courts of this State," with amendments.

The following House amendment to Senate bill No. 178, was received from the House :

Amend Senate bill No. 178 by adding to section one thereof the following: "*Provided*, that in no case shall any county court proceed, as in this act provided, until notice thereof shall have been given in some newspaper of the county for not less than four weeks, stating the amount of such revenue to be set apart, the term of court at which said order will be made, and the object and purpose of the same. The last insertion of said notice shall be made not less than four weeks before said order setting apart said revenue shall be made, and if there be no newspaper published in said county, then said notice shall be given by posting up written or printed hand bills, at least one in each township of said county, in some public place, sixty days before the term of making such order; and if during or after said notice shall have been given, and before the order setting apart said funds shall be made; one third of the qualified voters, as shown by the poll-books of the last election for State and county officers, shall remonstrate in writing against such proposed action, then any action by such county court thereafter under this act shall be void."

The following House amendment to Senate bill No. 115 was received from the House :

Amend Senate bill No. 115 in line 5 of title, by changing the word "two" to "one," and also in line 5, section 1, by changing the "two" to "one," and further amend in line 4, section 2 of printed bill, by inserting between the words "party" and "other," the words "except in civil cases."

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 399, entitled "An act to amend section four of an act entitled 'An act to amend section eight (8) of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,'" approved March 26, 1881, and to add three new sections to said act, approved March 29, 1883," and announced that unless objection was heard he would sign the same to the end that it become a law. The bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, immediately affixed his signature thereto.

House bill No. 339, entitled "An act to amend section 2695, chapter 39, Revised Statutes, 1879, entitled 'Of homesteads,' by adding thereto," was read third time and failed to pass by the following vote :

AYES—Senators Hazell, Hunter, Jacobs, Johnson of Madison, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith and Sparks—12.

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Moran, Parcher, Taggart, Webster and Wood—16.

ABSENT—Senators Harmon and Ryors—2.

ABSENT WITH LEAVE—Senators Ketchum, Mackey, Mansfield and Proctor—4.

House bill No. 29, entitled "An act to repeal an act entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same,' approved March 23, 1881; also, an act entitled 'An act to amend section one (1) of the acts of 1881, entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of the same,' approved March 20, 1885; also, to enact 'An act to provide for the health and safety of persons employed in mines, and providing for the inspection of same,' was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT—Senator Moran.

ABSENT WITH LEAVE—Senators Ketchum, Mackey, Mansfield and Proctor—4.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Moran, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senator Ketchum.

ABSENT WITH LEAVE—Senators Mackey, Mansfield and Proctor—3.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Moran granted leave of absence until next Friday noon.

House bill No. 395 was called up.

Senator Webster moved to reconsider the vote by which Senate amendment to House bill No. 295 was agreed to. The motion was agreed to. The amendment, as follows, was again read :

Amend House bill No. 395 by inserting between the words "securities" and "so," in the 11th and 12th lines of printed bill, and by adding to said bill, after the word "securities," in the 52d line thereof, the following words: "Tenth—To guarantee owners of real estate, mortgagees and all others interested in real estate, against loss by reason of defective titles, liens or incumbrances."

The amendment was not agreed to.

House bill No. 395, entitled "An act to amend an act entitled 'An act to amend chapter 21, of the Revised Statutes of Missouri, entitled 'Of private corporations,' by adding a new article thereto, entitled 'Trust companies,' approved March 20, 1885," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Moran, Parcher, Ryors, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Webster and Wood—20.

NOES—Senators Castleman, Claycomb, Harmon, Johnson of Madison, Kerwin, Saltonstall, Sebree and Taggart—8.

ABSENT—Senators Kelley and McGinnis—2.

ABSENT WITH LEAVE—Senators Ketchum, Mackey, Mansfield and Proctor—4.

The title was read and agreed to.

Senator Webster moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Claycomb moved to reconsider the vote by which House bill No. 141 failed to pass. The motion was agreed to.

The bill was again read third time and failed to pass by the following vote:

AYES—Senators Allen, Downing, Gideon, Ryors, Sears, Sebree, Sheldon, Simrall and Webster—9.

NOES—Senators Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Parcher, Saltonstall, Seabourn, Smith, Sparks, Taggart and Wood—20.

ABSENT—Senator Moran.

ABSENT WITH LEAVE—Senators Ketchum, Mackey, Mansfield and Proctor—4.

Senator Downing moved that House bill No. 126 be made a special order for 2 o'clock to-morrow. The motion was agreed to by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Kelly, Kerwin, McGinnis, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Webster—24.

NOES—Senators Castleman, Johnson of Madison, Johnson of Montgomery and Wood—4.

ABSENT—Senator Sheldon.

ABSENT WITH LEAVE—Senators Ketchum, Mackey, Mansfield, Moran and Proctor—5.

House bill No. 384, entitled "An act to amend an act entitled 'An act to authorize the appointment of assistant prosecuting attorneys in counties containing 75,000 inhabitants or more, prescribing their duties and providing for their compensation,' approved March 31, 1883," was taken up, and Senator Webster offered the following amendment, which was not agreed to :

Amend House bill No. 384 by inserting between the words "words" and "one," in the 2d line of section 2, printed bill, the words "and not less than;" also, by striking out the words "and inserting in lieu thereof the words seventy-five," in the 2d and 3d lines of said section 2; also, by striking out the words "and not less than seventy-five," in the 13th and 14th lines of section 2.

The bill was read third time and failed to pass by the following vote :

AYES—Senators Allen, Ball, Castleman, Gideon, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Sheldon and Webster—12.

NOES—Senators Claycomb, Davisson, Harmon, Hunter, Parcher, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Wood—14.

ABSENT—Senators Downing and Ryors—2.

ABSENT WITH LEAVE—Senators Kelly, Ketchum, Mackey, Mansfield, Moran and Proctor—6.

House bill No. 394, entitled "An act to require railroad companies, or persons owning or operating any railroad or railroads in this State, to furnish suitable and convenient cars for shipping live stock," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senator Gideon.

ABSENT WITH LEAVE—Senators Ketchum, Mackey, Mansfield, Moran and Proctor—5.

Senator Harmon offered the following amendment to the title, which was adopted : Add to the title "and transporting and delivering the same to consignees at any station or stock yard in this State."

The title, as amended, was agreed to.

Senator Harmon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 291, entitled "An act to amend article 3, chapter 150 of the Revised Statutes of Missouri, entitled 'Of Normal schools,' by adding a new section thereto, to be numbered section 7179a;"

Also, House bill No. 63, entitled "An act to prevent county commissioners of public schools from granting certificates without first having examined the applicant in the branches required by law to be taught in the public schools;"

Also, House bill No. 15, entitled "An act to amend section 2931 of article 6 of chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts;'"

Also, House bill No. 311, entitled "An act to amend section 4350 chapter 87, article 1 of the Revised Statutes of the State of Missouri, relating to herding cattle by non-residents;"

Also, House bill No. 7, entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies;"

Also, House bill No. 222, entitled "An act to amend section six thousand six hundred and seventy-one and six thousand six hundred and seventy-three of the Revised Statutes of Missouri, relating to boards of equalization;"

Also, House bill No. 100, entitled "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for the distribution and sale thereof,' approved March 31, 1885, by inserting certain words and adding others;"

Also, House bill No. 107, entitled, "An act to amend sections 7148 and 7152 of article 2, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools;'"

Also, House bill No. 197, entitled "An act to amend section 5021, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages,'" and announced on the reading of each bill that unless objection be made, he would sign the same to the end that it become a law. The bills were read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, immediately at the completion of the reading, affixed his signature thereto.

The following House bills were read first time:

House bill No. 422, entitled "An act to prohibit any sheriff, mayor,

constable or other peace officer from appointing certain persons as special deputies or special policemen ;”

House bill No. 517, entitled “An act concerning the introduction into, and outbreak within the State of dangerous, contagious and infectious diseases of live stock ;”

House bill No. 679, entitled “An act to make T. O. Tucker’s abstracts of land titles in Douglas county, or certified copies of the entries therein, evidence in all courts and places in this State ;”

House bill No. 278, entitled “An act to prohibit the keeping of any house, room or place to be used for the purpose of smoking opium or any other deadly drug, and providing a penalty therefor ;”

House bill No. 151, entitled “An act to amend section 974 of chapter 21, article 10 of the Revised Statutes of Missouri, entitled ‘Of benevolent, religious, scientific, educational and miscellaneous associations, as amended by an act approved February 8, 1881 ;’”

House bill No. 484, entitled “An act to amend an act entitled ‘An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled ‘Of justices courts,’ approved March 24, 1885.’”

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 88, entitled “An act to appropriate money for the purpose of erecting additions and making other necessary improvements to Lunatic Asylum Number Three (3), located at Nevada, Missouri,” beg leave to report that they have carefully examined the same and find it truly enrolled.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 88, entitled “An act to appropriate money for the purpose of erecting additions and making other necessary improvements to Lunatic Asylum Number Three (3), located at Nevada, Missouri,” and announced that unless objection be made, he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented by the Secretary to the Governor for his approval.

On motion of Senator Harmon, the Senate adjourned until 9:30 o’clock to-morrow morning.

FIFTY-SECOND DAY—TUESDAY, March 15, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 457, entitled "An act to amend section 1158, Revised Statutes of Missouri, as amended by an act approved March 24, 1883, changing the time of holding court in Laclede county," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 356, entitled "An act to regulate the practice of architecture in the State of Missouri," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 410, entitled "An act to amend an act entitled 'An act to provide for the re-recording of conveyances in case of the destruction of the record thereof, approved March 18, 1885,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Substitute for House bill No. 205, entitled "An act authorizing executors and administrators to borrow money to pay debts," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 688, entitled "An act to amend section one of an act entitled 'An act to amend section 1182, chapter 23 of the Revised Statutes of Missouri, entitled 'Of courts of record,' approved March 24, 1883,'" beg leave to report that they have considered the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 530, entitled "An act to amend an act entitled

'An act to amend section 1154 of article 4, chapter 23 of the Revised Statutes of 1879, entitled 'Courts of record,' changing the time of holding court in Pemiscot and Mississippi counties," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate bill No. 343, entitled "An act concerning mutual savings fund, loan and building associations," beg leave to report that they have considered the same and recommend that it do pass.

The rules were suspended and the bill ordered engrossed and printed.

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 596, entitled "An act to amend section 4 of the acts of 1883, approved March 24, 1883, entitled 'An act to repeal sections 1115 and 1128 of article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' and to repeal an act entitled 'An act to amend section 1145, article 3 of chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' approved March 18, 1881, and to repeal an act entitled 'An act to amend section 1157, chapter 23, article 4 of the Revised Statutes of the State of Missouri, in relation to courts of record, approved March 26, 1881, and to repeal section 1 of an act entitled 'An act to amend sections 1127, 1135 and 1165 of the Revised Statutes, concerning circuit courts, and attaching the county of Taney to the twenty-first judicial circuit,' approved March 24, 1881, and to enact new sections in lieu of the sections and acts hereby repealed, and to amend an act entitled 'An act to amend section 1158, article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' approved March 11, 1881,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Wood submitted the following reports from the Committee on University, Public and Normal School Education, which were read:

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred House bill No. 257, entitled "An act to repeal sections 7055, 7056, 7057 and 7058, article 1, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred House bill No. 634, en-

titled "An act to amend section 7139 of article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

The following House bills were read second time and referred to committees, as follows :

House bill No. 422, entitled "An act to prohibit any sheriff, mayor, constable or other peace officer from appointing certain persons as special deputies or special policemen," to Committee on Criminal Jurisprudence.

House bill No. 679, entitled "An act to make T. O. Tucker's abstracts of land titles in Douglas county, or certified copies of the entries therein, evidence in all courts and places in this State," to Committee on Judiciary.

House bill No. 517, entitled "An act concerning the introduction into, and outbreak within the State of dangerous, contagious and infectious diseases of live stock," to Committee on Agriculture, Roads and Highways.

House bill No. 278, entitled "An act to prohibit the keeping of any house, room or place to be used for the purpose of smoking opium or any other deadly drug, and providing a penalty therefor," to Committee on Criminal Jurisprudence.

House bill No. 484, entitled "An act to amend an act entitled 'An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' approved March 24, 1885,'" to Committee on Justices of the Peace.

House bill No. 151, entitled "An act to amend section 974 of chapter 21, article 10 of the Revised Statutes of Missouri, entitled 'Of benevolent, religious, scientific, educational and miscellaneous associations, as amended by an act approved February 8, 1881,'" to Committee on Insurance.

Senate bill No. 42 was laid over informally.

Senate bill No. 114, entitled "An act to reduce the compensation of members of the General Assembly to the requirements of the Constitution by amending section 6237 of chapter 124 of the Revised Statutes of 1879," was read third time and failed to pass by the following vote:

AYES—Senators Castleman, Claycomb, Davisson, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Saltonstall, Sears, Simrall, Sparks and Wood—12.

NOES—Senators Allen, Ball, Downing, Gideon, Harmon, Hazell, Kelly, Parcher, Proctor, Ryors, Sebree, Sheldon, Smith, Taggart and Webster—15.

ABSENT—Senators Jacobs, McGinnis and Seabourn—3.

ABSENT WITH LEAVE—Senators Ketchum, Mackey, Mansfield and Moran—4.

The following communications were received from the House of Representatives, through Mr. Hornbuckle, its Chief Clerk, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 193, entitled "An act to amend section 4113 of chapter 77 of the Revised Statutes of the State of Missouri for 1879, entitled 'Of asylums;' also, to amend chapter 77 of the Revised Statutes of the State of Missouri, entitled 'Of asylums,' by adding thereto a new section relating to the chronic insane, to be numbered section 4159*a* ; also, to amend an act entitled an act to establish an insane asylum in the southwestern portion of the State, to be known as Lunatic Asylum No. 3, and to appropriate money therefor, approved March 19, 1885, by adding a new section thereto relating to the chronic insane, to be numbered section 26 ;"

Also, House bill No. 236, entitled "An act to repeal an act entitled an act to repeal section 2865 of chapter 44, article 3 of the Revised Statutes of the State of Missouri, in relation to the commencement of suits, service of process, etc., in justices courts, and enacting in lieu thereof a new section, and to enact a new section relating to service of summons in justices courts ;"

Also, House bill No. 298, entitled "An act to repeal sections 1591, 1592, 1593 and 1594 of article 8, chapter 24 of the Revised Statutes of the State of Missouri for 1879, relating to offenses against public morals and decency, or the public police and miscellaneous offenses, and enacting in lieu thereof certain new sections, to be known as sections 1591, 1592, 1593, 1594, 1594*a*, 1594*b*, 1594*c* and 1594*d*, relating to the same subject, and to define and punish the offense of libel, and to regulate the defense in civil actions and in criminal prosecutions therefor ;"

Also, House bill No. 250, entitled "An act to amend chapter 119, article 4 of Revised Statutes of Missouri, entitled 'Of insurance,' by adding a new section thereto, to be known as section 6055*a*, on the same subject ;"

Also, House bill No. 203, entitled "An act to authorize the board of regents of Lincoln Institute to sell the institute farm, and to purchase land adjoining said institute ;"

Also, House bill No. 610, entitled "An act to empower the Register of Lands to make a patent conveying northwest fractional quarter of section No. sixteen (16), township No. thirty-nine (39) north, of range No. two (2) west, to Benjamin F. Reeves, his heirs and assigns ;"

Also, House bill No. 593, entitled "An act to amend section 982 of article 10, chapter 21 of the Revised Statutes of the State of Missouri;"

Also, House bill No. 537, entitled "An act to amend section 4 of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 29, 1883, entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 26, 1881;"

Also, House bill No. 516, entitled "An act entitled an act to repeal section 7053 of chapter 150, article 1 of the Revised Statutes of Missouri 'Of schools;' to repeal 'An act entitled an act to amend section 7052 of chapter 150, article 1 of the Revised Statutes of Missouri, 'Of schools,' approved April 2, 1883,' and to repeal 'An act to amend section 7055 of the Revised Statutes of the State of Missouri, in relation to colored schools,' approved March 16, 1883, and to enact two new sections in lieu thereof, to be numbered 7052 and 7053;"

Also, House bill No. 30, entitled "An act to amend section 6 of an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883;"

Also, substitute for House bill No. 318, entitled "An act to amend section 1631 of article 8 of chapter 24 of the Revised Statutes of the State of Missouri, 1879, concerning crimes and criminal procedure, and the several acts amendatory thereof;"

Also, substitute for House bill No. 319, entitled "An act to repeal section 7384 of chapter 158 of the Revised Statutes of the State of Missouri for 1879, relating to county surveyors, and enacting a new section in lieu thereof, relating to the same subject, and to be known as section 7384;"

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed the House, Senate bill No. 118, entitled "An act allowing jurors who have been found by the court to be qualified to sit as jurors in cases provided for in the first two subdivisions of section 1900 of chapter 103 of the Revised Statutes of Missouri of 1879, *per diem* and mileage."

Senator Downing called up the special order, the same being House joint and concurrent resolution No. 19, fixing time of final adjournment at 16th of March.

Senator Downing offered the following amendment to the resolution: Amend by striking out "16th" and inserting "21st."

Senator Harmon offered the following amendment to the amendment:

Strike out "21st" where it occurs, and insert "24th."

The amendment was not agreed to by the following vote:

AYES—Senators Castleman, Claycomb, Harmon, Hazell, Jacobs, Johnson of Montgomery, Mackey, Moran, Parcher, Saltonstall Sebree, Sparks, Taggart and Webster—14.

NOES—Senators Allen, Ball, Davisson, Downing, Gideon, Hunter, Johnson of Madison, Kelly, Kerwin, McGinnis, Proctor, Ryors, Seabourn, Sears, Sheldon, Simrall, Smith and Wood—18.

ABSENT WITH LEAVE—Senators Ketchum and Mansfield—2.

The question recurring on the amendment offered by Senator Downing, fixing the time of adjournment on the 21st, it was agreed to by the following vote:

AYES—Senators Ball, Davisson, Downing, Gideon, Hunter, Johnson of Madison, Kelly, Kerwin, McGinnis, Mackey, Proctor, Ryors, Seabourn, Sears, Sheldon, Simrall, Smith, Taggart and Wood—19.

NOES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Jacobs, Johnson of Montgomery, Moran, Parcher, Saltonstall, Sebree, Sparks and Webster—13.

ABSENT WITH LEAVE—Senators Ketchum and Mansfield—2.

The resolution, as amended, was adopted by the following vote:

AYES—Senators Ball, Davisson, Downing, Gideon, Hunter, Johnson of Madison, Kelly, Kerwin, McGinnis, Mackey, Proctor, Ryors, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—20.

NOES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Jacobs, Johnson of Montgomery, Moran, Parcher, Saltonstall, Sebree and Webster—12.

ABSENT WITH LEAVE—Senators Ketchum and Mansfield—2.

Senator Downing moved to reconsider the vote by which the resolution passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 42, entitled "An act repeal sections Nos. 1917 and 1918 of article No. 18 of chapter No. 24 of the Revised Statutes of Missouri of A. D. 1879, entitled 'Of crimes and criminal procedure,' and to enact a new section in lieu thereof, to be designated as section No. 1918," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Davisson and Jacobs—2.

ABSENT WITH LEAVE—Senators Ketchum and Mansfield—2.

Senator Castleman offered the following amendment to the title, which was read and adopted:

Strike out of first line of title "s," from words "sections" and "Nos." and by striking out "1917 and."

The title, as amended, was read and adopted.

Senator Castleman moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Substitute for Senate bill No. 230, entitled "An act to authorize the granting of a license to merchants and others, to regulate the sale of intoxicating liquors by the gallon, and repeal all acts not consistent therewith," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Jacobs, Johnson of Madison, Kelly, Kerwin, McGinnis, Saltonstall, Seabourn, Sears, Sheldon and Simrall—15.

NOES—Senators Ball, Gideon, Harmon, Hazell, Hunter, Johnson of Montgomery, Mackey, Moran, Parcher, Proctor, Ryors, Sebree, Smith, Sparks, Taggart, Webster and Wood—17.

ABSENT WITH LEAVE—Senators Ketchum and Mansfield—2.

The following communication was received from the Governor, through his private secretary, Mr. Yantis, which was read:

CITY OF JEFFERSON, March 15, 1887.

SIR: I have the honor to return to the Senate, with my approval endorsed thereon, bill No. 13, of the following title: "An act to amend section 1205 of the Revised Statutes of Missouri of 1879;" "

Also, bill No. 26, of the following title: "An act to amend an act entitled 'A bill for an act to prevent the manufacture and sale of oleaginous substances, or compounds of the same, in imitation of pure dairy products, approved March 24, 1881;'" "

Also, bill No. 34, of the following title: "An act to amend section 1326 of the Revised Statutes of the State of Missouri of 1879;" "

Also, bill No. 39, of the following title: "An act to amend section 1963 of article 19 of chapter 24 of the Revised Statutes of Missouri, entitled 'Verdict and judgment and proceedings thereon;'" "

Also, bill No. 49, of the following title: 'An act to amend section 4 of an act approved March 23, 1883, entitled 'An act to establish a Bureau of Labor Statistics and inspection of factories, mines and workshops throughout this State, and to provide for the appointment of an inspector for same, and to repeal article one of chapter 154 of the Revised Statutes of Missouri of 1879, entitled 'Of statistics;'" "

Also, bill No. 132, of the following title: "An act to pay to the

county of Livingston school moneys improperly withheld from it for the year 1875."

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

The following communication was received from the House of Representatives through its Chief Clerk, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and concurred in Senate amendment to House bill No. 420, as follows:

Amend by adding the following at end of bill: "*Provided*, that the amount so to be paid out of the treasury of such counties and cities shall not in any one year exceed the sum of one thousand (1000) dollars."

The following House amendments to Senate bill No. 87 were taken up:

Amendment No. 0. Amend section one of Senate printed bill by striking out the words "Ripley, Butler, Duncan and Wayne," at the end of said section.

No. 1. Amend Senate bill No. 87 by striking out the word "Bates," in seventh line of section one.

No. 2. Amend by striking out the word "Reynolds," in the eighth line of section one.

No. 3. Amend Senate bill No. 87 by striking out the figures "1889," where they occur in third line of section two, and insert in lieu thereof the figures "1891."

No. 4. Amend Senate bill No. 87 by striking out the figures "1888," where they occur in the fourth line of section two, and insert in lieu thereof the figures "1890."

No. 5. Amend Senate bill No. 87 by striking out the word and figures "March, 1888," where they occur in line seven of section ten of said bill, and insert in lieu thereof the word and figures "October, 1887," and by adding to said section the following words: "And the terms of said court shall be held on the first Mondays in March and October of each year thereafter."

No. 6. Amend Senate bill No. 87 by striking out the figures "1888," in line ten of section three, and insert in lieu thereof the figures "1890."

Senator Wood moved to refer the House amendments to the Committee on Judiciary.

On motion of Senator McGinnis, the Senate adjourned until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate joint and concurrent resolution No. 12, entitled "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means proper in their legislative capacity to secure an appropriation of fifty thousand dollars for the purpose of straightening Grand river;"

Also, House bill No. 33, entitled "An act to amend section 1367 of article 3, chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure and offenses against public and private property;'"

Also, Senate bill No. 50, entitled "An act to repeal section 5365 of article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Organization of counties;'"

Also, substitute for Senate bill No. 301, entitled "An act to amend chapter 167 of the Revised Statutes of Missouri of 1879, entitled 'Of weights and measures,' by adding a new section thereto, to be known as section 7668a, relating to flour sold in packages, and providing a penalty for the violation thereof;"

Also, Senate bill No. 322, entitled "An act relating to stenographers for certain criminal courts;"

Also, Senate bill No. 339, entitled "An act to amend an act entitled 'An act to amend section 1155, article 4, chapter 23 of the Revised Statutes of Missouri, 'Circuit courts,' approved March 18, 1885;'"

Also, Senate bill No. 62, entitled "An act to repeal section 6334, chapter 129 of the Revised Statutes of Missouri of 1879, entitled 'Of merchants' licenses,' and to enact a new section in lieu thereof;"

Also, Senate bill No. 102, entitled "An act to repeal section 1881 of chapter 24, article 27 of the Revised Statutes of Missouri of 1879, in relation to changes of venue in criminal cases, and to enact a new section in lieu thereof relating to the same subject;"

Also, Senate bill No. 202, entitled "An act to prohibit the sale of intoxicating liquors within three (3) miles of the Avalon college, situated in Livingston county, Missouri;"

Also, Senate bill No. 261, entitled "An act granting to the common schools in townships in which saloons may be situated one-third of the county revenue derived by the county from such saloon license," beg

leave to report that they have carefully examined the same and find them truly enrolled.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 50, entitled "An act to repeal section 5365 of article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Organization of counties;'"

Also, Senate joint and concurrent resolution No. 12, instructing our Senators and requesting our Representatives in congress to use all means proper in their legislative capacity to secure an appropriation of fifty thousand dollars for the purpose of straightening Grand river;

Also, Senate bill No. 33, entitled "An act to amend section 1367 of the Revised Statutes of the State of Missouri of 1879;"

Also, Senate bill No. 301, entitled "An act to amend chapter 167 of the Revised Statutes of Missouri of 1879, entitled 'Of weights and measures,' by adding a new section thereto, to be known as section 7668a, relating to flour sold in packages, and providing a penalty for the violation thereof;"

Also, Senate bill No. 322, entitled "An act relating to stenographers for certain criminal courts;"

Also, Senate bill No. 339, entitled "An act to amend an act entitled 'An act to amend an act entitled an act to amend section 1155, article 4, chapter 23 of the Revised Statutes of Missouri, 'Circuit courts,' approved March 18, 1885;'"

Also, Senate bill No. 62, entitled "An act to repeal section 6334, chapter 129 of the Revised Statutes of Missouri of 1879, entitled 'Of merchants' licenses,' and to enact a new section in lieu thereof;"

Also, Senate bill No. 102, entitled "An act to repeal section 1881 of chapter 24, article 27 of the Revised Statutes of Missouri of 1879, in relation to changes of venue in criminal cases, and to enact a new section in lieu thereof, relating to the same subject;"

Also, Senate bill No. 202, entitled "An act to prohibit the sale of intoxicating liquors within three (3) miles of the Avalon college, situated in Livingston county, Missouri;"

Also, Senate bill No. 261, entitled "An act granting to the common schools in townships in which saloons may be situated one-third of the county revenue derived by the county from such saloon license," and announced upon the reading of each bill in its order that unless objection be made he would sign the same to the end that it might become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, immediately upon the reading of each bill, affixed his signature thereto. The bills were then taken to the House

of Representatives, read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The President appointed Senators Ball, Smith and Jacobs as a committee to ascertain the clerical force needed to complete the business after the adjournment of the General Assembly.

The consideration of the reference of the House amendments to Senate bill No. 87, to the Committee on Judiciary, was resumed.

The motion to refer to Judiciary Committee was not agreed to by the following vote :

AYES—Senators Castleman, Claycomb, Harmon, Hazell, Mackey, Sears, Sebree, Sparks, Taggart and Wood—10.

NOES—Senators Allen, Ball, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sheldon, Simrall, Smith and Webster—23.

ABSENT—Senator Mansfield.

The following amendment was taken up and read first and second times :

Amendment No. 0. Amend section one of Senate printed bill by striking out the words "Ripley, Butler, Dunklin and Wayne," at the end of said section.

The amendment was adopted by the following vote :

AYES—Senators Allen, Ball, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Parcher, Proctor, Ryors, Seabourn, Sheldon, Smith and Webster—21.

NOES—Senators Castleman, Claycomb, Harmon, Mackey, Saltonstall, Sears, Sebree, Simrall, Sparks, Taggart and Wood—11.

ABSENT ON LEAVE—Senator Mansfield.

Amendment No. 1. Amend Senate bill No. 87 by striking out the word "Bates" in 7th line of said section one.

The amendment was read first and second times and agreed to by the following vote :

AYES—Senators Allen, Ball, Davisson, Gideon, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Parcher, Proctor, Ryors, Seabourn, Sheldon, Smith, Sparks and Webster—21.

NOES—Senators Castleman, Claycomb, Harmon, Hunter, Mackey, Saltonstall, Sears, Sebree, Simrall, Taggart and Wood—11.

ABSENT—Senator Downing.

ABSENT WITH LEAVE—Senator Mansfield.

No. 2. Amend by striking out the word "Reynolds" in the eighth line of section one.

The amendment was read first and second time and agreed to by the following vote:

AYES—Senators Allen, Ball, Davisson, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Parcher, Proctor, Ryors, Seabourn, Sheldon, Smith and Webster—20.

NOES—Senators Castleman, Claycomb, Harmon, Hazell, Mackey, Saltonstall, Sears, Sebree, Simrall, Sparks, Taggart and Wood—12.

ABSENT—Senator Downing.

ABSENT WITH LEAVE—Senator Mansfield.

No. 3. Amend Senate bill No. 87 by striking out the figures "1889" where they occur in third line of section two, and insert in lieu thereof the figures "1891."

The amendment was read first and second times and agreed to by the following vote:

AYES—Senators Allen, Ball, Davisson, Gideon, Harmon, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Smith and Webster—23.

NOES—Senators Castleman, Claycomb, Hunter, Mackey, Sears, Simrall, Sparks, Taggart and Wood—9.

ABSENT—Senator Downing.

ABSENT WITH LEAVE—Senator Mansfield.

No. 4. Amend Senate bill No. 87 by striking out the figures "1888" where they occur in fourth line of section two, and insert in lieu thereof the figures "1890."

The amendment was read first and second times and agreed to by the following vote:

AYES—Senators Allen, Ball, Davisson, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sheldon, Smith and Webster—23.

NOES—Senators Castleman, Claycomb, Mackey, Sears, Sebree, Simrall, Sparks, Taggart and Wood—9.

ABSENT—Senator Downing.

ABSENT WITH LEAVE—Senator Mansfield.

No. 5. Amend Senate bill No. 87 by striking out the word and figures "March, 1888," where they occur in line seven of section ten of said bill, and insert in lieu thereof the word and figures "October, 1887," and by adding to said section the following words: "And the

terms of said court shall be held on the first Mondays in March and October of each year thereafter."

The amendment was read first and second times and agreed to by the following vote :

AYES—Senators Allen, Ball, Davisson, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sheldon, Smith and Webster—23.

NOES—Senators Castleman, Claycomb, Mackey, Sears, Sebree, Simrall, Sparks, Taggart and Wood—9

ABSENT—Senator Downing.

ABSENT WITH LEAVE—Senator Mansfield.

No. 6. Amend Senate bill No. 87 by striking out the figures "1888," in line ten of section three, and insert in lieu thereof the figures "1890."

The amendment was read first and second times and agreed to by the following vote :

AYES—Senators Allen, Ball, Davisson, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sheldon, Smith and Webster—23.

NOES—Senators Castleman, Claycomb, Mackey, Sears, Sebree, Simrall, Sparks, Taggart and Wood—9.

ABSENT—Senator Downing.

ABSENT WITH LEAVE—Senator Mansfield.

The following communication was received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 633, entitled "An act for the regulation or suppression of the sale and disposition of intoxicating liquors by the people of the several counties in this State by election ;"

Also, House bill No. 430, entitled "An act to repeal sections 7050 and 7075 of chapter 150, article 1 of the Revised Statutes of Missouri, 'Of schools,' an act entitled 'An act to amend article 1 of chapter 150 of the Revised Statutes, entitled 'Of schools,' by striking out section 7049 and substituting a new section in lieu thereof, to be numbered section 7049,' approved March 26, 1881, and an act entitled 'An act to amend section 7067, article 1, chapter 150 of the Revised Statutes of 1879, entitled 'Of schools,' approved April 2, 1883, and to enact four new sections in lieu thereof, to be numbered 7049, 7050, 7067 and 7075 ;"

Also, House bill No. 460, entitled "An act to facilitate the collection of statistical data of the productive industries of the State ;"

Also, House bill No. 338, entitled "An act to repeal sections 8 and 9 of an act entitled 'An act creating a board of health for the State of Missouri, defining its powers and duties, and fixing the compensation of its officers,' and to enact new section in lieu thereof to be known as section 8."

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 112, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor,' approved March 28, 1885; "

Also, substitute for House bill No. 419, entitled "An act fixing the number of directors in public school boards in certain cities, and providing for election of such directors, and for districting said cities therefor; "

Also, House bill No. 436, entitled "An act to amend section 1 of an act entitled 'An act to prevent persons from breaking down bridges and culverts, from frightening horses, mules and other animals attached to vehicles of any kind or ridden by persons, by moving steam engines of any kind, corn mills, cane mills, saw mills, reaping and mowing machines on public highways,' approved March 31, 1885; "

Also, House bill No. 727, entitled "An act to repeal section 6729, article 2, chapter 145 of the Revised Statutes of the State of Missouri, entitled 'Of the assessment and collection of the revenue,' and to enact a new section in lieu thereof."

In which the concurrence of the Senate is respectfully requested.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 23, entitled "An act to authorize the board of public improvements of any city in this State to audit and allow claims against such city for work done and materials furnished on any street or highway under a contract with such city, and to provide for the payment of such claims; "

Also, Senate bill No. 118, entitled "An act allowing jurors who have been found by the court to be qualified to sit as jurors in cases provided for in the first two subdivisions of section one thousand nine hundred of chapter one hundred and three of the Revised Statutes of Missouri of 1879, per diem and mileage; "

Also, Senate bill No. 328, entitled "An act to provide for the consolidation of municipal corporations, arranging the wards therein, and providing for elections after such consolidation," beg leave to report

that they have carefully examined the same and find them truly enrolled.

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 328, entitled "An act to provide for the consolidation of municipal corporations, arranging the wards therein, and providing for elections after such consolidation," and announced upon the reading of each that unless objection be made he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The special order for this afternoon, the consideration of House bill No. 126, entitled "An act to repeal an act entitled 'An act confirming certain powers to the citizens of St. Louis county,' approved March 4, 1857," was taken up, read third time and passed by the following vote:

AYES—Senators Ball, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Mackey, Proctor, Saltonstall, Seabourn, Sears, Seabee, Sheldon, Simrall, Smith, Sparks Taggart, Webster and Wood—21.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Kelly, Kerwin, Ketchum, McGinnis and Ryors—9.

ABSENT—Senator Parcher.

ABSENT WITH LEAVE—Senators Mansfield and Moran—2.

SICK—Senator Gideon.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

The following messages were received from the Governor through his private Secretary, Mr. Yantis, which were read:

CITY OF JEFFERSON, March 15, 1887.

SIR: I have the honor to return to the Senate, with my approval endorsed thereon, bill No. 322, of the following title: "An act relating to stenographers for certain criminal courts."

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

CITY OF JEFFERSON, March 15, 1887.

SIR: I have the honor to return to the Senate, with my approval endorsed thereon, bill No. 328, of the following title: "An act to pro-

vide for the consolidation of municipal corporations, arranging the wards therein, and providing for elections after such consolidation."

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

The following communication was received from the House of Representatives, through the Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate, that there has been introduced into and passed the House, House bill No. 265, entitled "An act to establish an institution under the name and style of the State industrial home for girls ;"

Also, House bill No. 730, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State, for the payment of which no appropriation has hitherto been made ;"

Also, House bill No. 657, entitled "An act to amend section 6782 of the Revised Statutes of 1879, relating to settlement of collectors."

The House has also taken up, amended and passed Senate bill No. 332, as amended, in which the concurrence of the Senate is respectfully requested.

Amendment No. 1. Amend by inserting between the words "the" and "tax," in the nineteenth line, the word "county."

Amendment No. 2. Amend by inserting between the words "the" and "tax," in the seventh line, the word "county."

Amendment No. 3. Amend by inserting after the word "that," in line four, the words "in counties having fifty thousand inhabitants or less." And further amend by inserting after the word "that," in line sixteen, the words "in counties having fifty thousand inhabitants or less."

Senator Sebree submitted the following report from the Committee on Justices of the Peace, which was read :

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred House bill No. 484, entitled "An act to amend an act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri, 1879, entitled 'Of justices courts,' approved March 24, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Hunter submitted the following reports from the Committee on Ways and Means, which were read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom

was referred substitute for House bill No. 179, entitled "An act for the relief of Francis Bracklein," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 289, entitled "An act amending section 1215, article 4, chapter 23 of the Revised Statutes of Missouri of 1879, entitled 'Of county courts,'" approved February 16, 1883, relating to the compensation of the judges," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 358, entitled "An act authorizing cities and towns incorporated under special charters, to license, tax and regulate billiard, pool, etc. tables on which games are played for amusement," beg leave to report that they have carefully examined the same and recommend that it do pass.

The rules were suspended and the above Senate bill No. 358 was ordered engrossed and printed.

Senator Wood submitted the following report from the Committee on University, Public and Normal School Education, which was read:

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred House bill No. 269, entitled "An act to amend section 7153, chapter 150, article 2 of the Revised Statutes of the State of Missouri, concerning city, town and village schools," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Ketchum submitted the following report from the Committee on State and Swamp Lands, which was read:

MR. PRESIDENT: Your Committee on State and Swamp Lands, to whom was referred House bill No. 328, entitled "An act providing for the organization of levee districts by the owners in any contiguous body of land situate in one or more counties in this State, and bordering on, situate near or subject to overflow by the rivers of this State, to prevent and to protect such lands from such overflows," beg leave to report that they have carefully examined the same and recommend that it do pass.

The following House bills were read first time:

House bill No. 436, entitled "An act to amend section 1 of an act entitled 'An act to prevent persons from breaking down bridges and culverts, from frightening horses, mules and other animals attached to vehicles of any kind or ridden by persons, by moving steam engines

of any kind, corn mills, cane mills, saw mills, reaping and mowing machines on public highways," approved March 31, 1885;

House bill No. 633, entitled "An act for the regulation or suppression of the sale and disposition of intoxicating liquors by the people of the several counties in this State by election; "

Substitute House bill No. 419, entitled "An act fixing the number of directors in public school boards in certain cities, and providing for election of such directors, and for districting said cities therefor; "

House bill No. 298, entitled "An act to repeal sections 1591, 1592, 1593 and 1594 of article 8, chapter 24 of the Revised Statutes of the State of Missouri for 1879, relating to 'Offences against public morals and decency, or the public police and miscellaneous offenses,' and enacting in lieu thereof certain new sections, to be known as sections 1591, 1592, 1593, 1594, 1594 α , 1594 β , 1594 γ and 1594 δ , relating to the same subject, and to define and punish the offense of libel, and to regulate the defense in civil actions and in criminal prosecutions therefor; "

Substitute for House bill No. 318, entitled "An act to amend section 1631 of article 8 of chapter 24 of the Revised Statutes of the State of Missouri, 1879, concerning 'Crimes and criminal procedure,' and the several acts amendatory thereof; "

House bill No. 537, entitled "An act to amend section 4 of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 29, 1883, entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 26, 1881; "

House bill No. 657, entitled "An act to amend section 6782 of the Revised Statutes of 1879, relating to settlement of collectors; "

House bill No. 338, entitled "An act to repeal sections 8 and 9 of an act entitled 'An act creating a board of health for the State of Missouri, defining its powers and duties, and fixing the compensation of its officers,' and to enact a new section in lieu thereof, to be known as section 8; "

House bill No. 430, entitled "An act to repeal sections 7050 and 7075 of chapter 150, article 1 of the Revised Statutes of Missouri, 'Of schools,' an act entitled 'An act to amend article 1 of chapter 150 of the Revised Statutes,' entitled 'Of schools,' by striking out section 7049 and substituting a new section in lieu thereof, to be numbered section 7049,' approved March 26, 1881, and an act entitled 'An act to amend section 7067, article 1, chapter 150 of the Revised Statutes of 1879, entitled 'Of schools,' " approved April 2, 1883, and to enact four new sections in lieu thereof, to be numbered 7049, 7050, 7067 and 7075; "

House bill No. 112, entitled "An act to repeal an act entitled 'An

act to provide for the location and building of a penitentiary, to be known as Missouri penitentiary No. 2, and appropriate money therefor,' approved March 28, 1885;"

House bill No. 193, entitled "An act to amend section 4113 of chapter 77 of the Revised Statutes of the State of Missouri, for 1879, entitled 'Of asylums;' also, to amend chapter 77 of the Revised Statutes of the State of Missouri entitled 'Of asylums,' by adding thereto a new section relating to the chronic insane, to be numbered section 4159*a*; also, to amend an act entitled 'An act to establish an insane asylum in the southwestern portion of the State to be known as Lunatic Asylum No. Three, and to appropriate money therefor, approved March 19, 1885, by adding a new section thereto, relating to the chronic insane, to be numbered section 26;"

House bill No. 250, entitled "An act to amend chapter one hundred and nineteen, article four of the Revised Statutes of Missouri, entitled 'Of insurance,' by adding a new section thereto to be known as section 6055*a*, on the same subject;"

House bill No. 30, entitled "An act to amend section 6 of an act entitled 'An act to restrain domestic animals from running at large,' approved March 20, 1883;"

House bill No. 593, entitled "An act to amend section 982 of article 10, chapter 21 of the Revised Statutes of the State of Missouri;"

House bill No. 730, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made;"

House bill No. 460, entitled "An act to facilitate the collection of statistical data of the productive industries of the State;"

House bill No. 610, entitled "An act to empower the Register of Lands to make a patent conveying the northwest fractional quarter of section No. sixteen (16), township No. thirty-nine (39) north, of range No. two (2) west, to Benjamin F. Reeves, his heirs and assigns;"

House bill No. 236, entitled "An act to repeal an act entitled 'An act to repeal section 2865 of chapter 44, article 3 of the Revised Statutes of the State of Missouri, in relation to the commencement of suits, service of process, etc., in justices courts, and enacting in lieu thereof a new section,' and to enact a new section relating to service of summons in justices courts;"

Substitute for House bill No. 319, entitled "An act to repeal section 7384 of chapter 158 of the Revised Statutes of the State of Missouri for 1879, relating to county surveyors, and enacting a new sec-

tion in lieu thereof, relating to the same subject, and to be known as section 7384;”

House bill No. 516, entitled “An act entitled “An act to repeal section 7053 of chapter 150, article 1 of the Revised Statutes of Missouri, ‘Of schools;’ to repeal an act entitled ‘An act to amend section 7052 of chapter 150, article 1 of the Revised Statutes of Missouri, ‘Of schools,’ approved April 2, 1883, and to repeal ‘An act to amend section 7054 of the Revised Statutes of the State of Missouri, in relation to colored schools,” approved March 16, 1883, and to enact two new sections in lieu thereof, to be numbered 7052 and 7053;”

House bill No. 265, entitled “An act to establish an institution under the name and style of the State industrial home for girls;”

House bill No. 727, entitled “An act to repeal section 6729, article 2, chapter 145 of the Revised Statutes of the State of Missouri, entitled ‘Of the assessment and collection of the revenue,’ and to enact a new section in lieu thereof;”

House bill No. 208, entitled “An act to authorize the board of regents of Lincoln Institute to sell the Institute farm, and to purchase land adjoining said institute.”

Senator McGinnis offered the following protest and requested that it be spread upon the journal :

MR. PRESIDENT: I respectfully protest that the reading of the bills just read by their titles only is not a reading within the meaning of the Constitution.

The President announced that all other business would be suspended and directed the Secretary to read at length House bill No. 199, entitled “An act for the protection of the owners or keepers of stallions, jacks and bulls, and to prevent fraudulent pedigrees;”

Also, House bill No. 551, entitled “An act to authorize the several counties of this State and the county seats thereof to erect, maintain and use court houses and jails jointly;”

Also, House bill No. 716, entitled “An act to amend an act entitled ‘An act to amend section one thousand one hundred and forty-eight of the Revised Statutes of the State of Missouri, in relation to courts of record, approved February 19, 1885;’”

Also, House bill No. 300, entitled “An act to repeal an act entitled ‘An act to incorporate the town of Brunswick,’ approved January 26, 1847; also, to repeal an act entitled ‘An act to amend an act entitled ‘An act to incorporate the town of Brunswick,’ approved January 26, 1847, approved February 28, 1851, and also, to repeal an act entitled ‘An act amendatory of an act entitled an act amendatory of an act entitled an act to incorporated the town of Brunswick,’ approved March 7, 1870; and also, to repeal

an act entitled 'An act to amend an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 1, 1871; and also, to repeal an act entitled 'An act amendatory of and supplementary to an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 28, 1872; and also, to repeal an act entitled 'An act supplementary to and amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 30, 1872;''

Also, House bill No. 227, entitled "An act to repeal sections 7041, 7042 and 7043, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof, to be numbered 7041, 7042 and 7043;''

Also, House bill No. 214, entitled "An act to amend an act entitled 'An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of cities, towns and villages,' by adding thereto one new section, to be known as section No. 5003½, relating to the police regulations of cities of the fourth class, approved March 14, 1885;''

Also, House bill No. 155, entitled "An act to amend section 3705, article 10, chapter 59, entitled 'Of practice in civil cases;''"

Also, House bill No. 89, entitled "An act to amend sections 1 of an act entitled 'An act to amend section 3311 of chapter 52 of the Revised Statutes, 1879, of Missouri, entitled 'Of mortgages and deeds of trust,' approved March 26, 1881;''

Also, House bill No. 64, entitled "An act to amend section 1666 of article 9 of chapter 24 of the Revised Statutes of Missouri for 1879, in relation to crimes and criminal procedure, miscellaneous provisions and matters of practice;''

Also, House bill No. 47, entitled "An act to amend section 6060 of article 5 of chapter 119 of the Revised Statutes of Missouri, entitled 'Of insurance;''" and announced that unless objection be made he would sign the same to the end that it become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 118, entitled "An act allowing jurors who have been found by the court to be qualified to sit as jurors in cases provided for in the first two subdivisions of section one thousand nine hundred of chapter one hundred and three of the Revised Statutes of Missouri of 1879, per diem, and mileage;''"

Also, Senate bill No. 23, entitled "An act to authorize the board of public improvements of any city in this State, to audit and allow claims against such city for work done and materials furnished on any street or highway under a contract with such city," and announced that unless objections be heard he would sign the same to the end that they might become laws. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, at the completion of the reading of each bill, affixed his signature thereto. The bills were then taken to the House of Representatives, read at length and signed by the Speaker and immediately taken to the Governor by the Secretary for his approval.

On motion of Senator Mackey, the Senate adjourned until to morrow morning at 9:30 o'clock.

FIFTY-THIRD DAY—WEDNESDAY, March 16, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Downing, from the Committee on Judiciary, submitted the following report, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 689, entitled "An act entitled an act providing for the holding of two terms of the Lawrence county circuit court at the city of Peirce City, in said county, and prescribing the jurisdiction thereof," beg leave to report that they have carefully examined the same and a majority recommend that it do not pass.

Senator Mackey submitted the following report from the Committee on Federal Relations, which was read :

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred House joint and concurrent resolution No. 2, entitled joint and concurrent resolution locking and damming the Osage river, beg leave to report that they have carefully examined the same and recommend that it do pass.

The Committee on Insurance was granted leave of absence.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred for enrollment Senate bill No. 87, entitled "An act entitled an act to establish an appellate court to be known as the Springfield Court of Appeals, the appointment and election of their judges and their tenure of office, and providing for the appointment of officers and attendants of said court and their compensation," beg leave to report that they have carefully examined the same and find it truly enrolled.

House bill No. 205 was recommitted to the Committee on Judiciary.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 278, entitled "An act to prohibit the keeping of any house, room or place to be used for the purpose of smoking opium or any other deadly drug, and providing a penalty therefor," beg leave to report they they have carefully examined the same and recommend that it do pass.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred House bill No. 500, entitled "An act to repeal section 2 of an act entitled 'An act to organize municipal townships in all counties that have not adopted township organization into bodies corporate for road purposes only, and to create a board of township road commissioners therein, with defined powers and duties,'" approved March 31, 1883, and to enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

The following House bills were read second time and referred to committees, as follows :

House bill No. 727, entitled "An act to repeal section 6729, article 2, chapter 145 of the Revised Statutes of the State of Missouri, entitled

‘Of the assessment and collection of the revenue,’ and to enact a new section in lieu thereof,” to Committee on Ways and Means.

House bill No. 338, entitled “An act to repeal sections 8 and 9 of an act entitled ‘An act creating a board of health for the State of Missouri, defining its powers and duties, and fixing the compensation of its officers,’ and to enact a new section in lieu thereof, to be known as section 8,” to Committee on Criminal Jurisprudence.

House bill No. 436, entitled “An act to amend section 1 of an act entitled ‘An act to prevent persons from breaking down bridges and culverts, from frightening horses, mules and other animals attached to vehicles of any kind, or ridden by persons, by moving steam engines of any kind, corn mills, cane mills, saw mills, reaping and mowing machines on public highways, approved March 31, 1885,’” to Committee on Agriculture, Roads and Highways.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 87, entitled “An act entitled an act to establish an appellate court, to be known as the Springfield Court of Appeals, the appointment and election of their judges and their tenure of office, and providing for the appointment of officers and attendants of said court, and their compensation,” and announced, that unless objection be made, he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. It was immediately taken to the House of Representative, read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 420, entitled “An act to amend an act entitled ‘An act to amend section 5632 of the Revised Statutes, relating so fees, approved March 23, 1881;”

Also, House bill No. 395, entitled “An act to amend an act entitled an act to amend chapter 21 of the Revised Statutes of Missouri, entitled ‘Of private corporations,’ by adding a new article thereto, entitled, ‘Trust companies,’ approved March 20, 1885;”

Also, House bill No. 109, entitled “An act entitled an act to authorize cities and incorporated towns to appropriate money for constructing and repairing gravel, macadamized or graded public roads leading into same, and building bridges thereon;”

Also, House bill No. 685, entitled “An act to repeal section 1167 of the Revised Statutes of 1879, and all acts amendatory thereof, and to enact a new section in lieu of the same, relating to the holding of cir-

cuit courts in the twenty-third circuit, and providing for the holding of circuit courts in the county of Wayne in said circuit, at a place other than the county seat," and announced upon the reading of each bill, that unless objection be made, he would sign the same to the end that it become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, immediately upon the reading of each bill, and no other business intervening, affixed his signature thereto.

The following House bills were read second time and referred to committees, as follows :

House bill No. 657, entitled "An act to amend section 6782 of the Revised Statutes of 1879, relating to settlement of collectors," to Committee on Ways and Means.

House bill No. 265, entitled "An act to establish an institution under the name and style of the State industrial home for girls," to Committee on Eleemosynary Institutions.

House bill No. 730, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made," to Committee of the Whole.

House bill No. 430, entitled "An act to repeal sections 7050 and 7075 of chapter 150, article 1 of the Revised Statutes of Missouri, 'Of schools,' an act entitled 'An act to amend article 1 of chapter 150 of the Revised Statutes, entitled 'Of schools,' by striking out section 7049 and substituting a new section in lieu thereof, to be numbered section 7049,' approved March 26, 1881, and an act entitled 'An act to amend section 7067, article 1, chapter 150 of the Revised Statutes of 1879, entitled 'Of schools,' approved April 2, 1883,' and to enact four new sections in lieu thereof, to be numbered 7049, 7050, 7067 and 7075," to Committee on University, Public and Normal School Education;

House bill No. 633, entitled "An act for the regulation or suppression of the sale and disposition of intoxicating liquors by the people of the several counties in this State, by election," to Committee on Criminal Jurisprudence;

House bill No. 460, entitled "An act to facilitate the collection of statistical data of the productive industries of the State," to Committee on Labor, Mines and Mining;

House bill No. 112, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2 and appropriate money therefor,' approved March 28, 1885," to Committee on Penitentiary;

Substitute for House bill No. 419, entitled "An act fixing the number of directors in public school boards, in certain cities, and providing for election of such directors, and for districting said cities therefor," to Committee on University, Public and Normal School Education ;

House bill No. 193, entitled "An act to amend section 4113 of chapter 77 of the Revised Statutes of the State of Missouri for 1879, entitled 'Of asylums;' also, to amend chapter 77 of the Revised Statutes of the State of Missouri, entitled 'Of asylums,' by adding thereto a new section relating to the chronic insane, to be numbered section 4159*a* ; also, to amend an act entitled 'An act to establish an insane asylum in the southwestern portion of the State, to be known as Lunatic Asylum Number Three, and to appropriate money therefor, approved March 19, 1885,' by adding a new section thereto relating to the chronic insane, to be numbered section 26," to Committee on Eleemosynary Institutions ;

House bill No. 203, entitled "An act to authorize the board of regents of Lincoln Institute to sell the institute farm, and to purchase land adjoining said institute," to Committee on Ways and Means ;

House bill No. 610, entitled "An act to empower the Register of Lands to make a patent conveying northwest fractional quarter of section No. sixteen (16), township No. thirty-nine (39) north, of range No. two (2) west, to Benjamin F. Reeves, his heirs and assigns," to Committee on Judiciary ;

House bill No. 293, entitled "An act to repeal sections 1591, 1592, 1593 and 1594 of article 8, chapter 24 of the Revised Statutes of the State of Missouri for 1879, relating to 'Offenses against public morals and decency, or the public police and miscellaneous offenses,' and enacting in lieu thereof certain new sections, to be known as sections 1591, 1592, 1593, 1594, 1594*a*, 1594*b*, 1594*c* and 1594*d*, relating to the same subject, and to define and punish the offense of libel, and to regulate the defense in civil actions and in criminal prosecutions therefor," to Committee on Criminal Jurisprudence ;

House bill No. 250, entitled "An act to amend chapter one hundred and nineteen, article four of Revised Statutes of Missouri, entitled 'Of insurance,' by adding a new section thereto, to be known as section 6055*a*, on the same subject," to Committee on Insurance ;

House bill No. 236, entitled "An act to repeal an act entitled 'An act to repeal section 2865 of chapter 44, article 3 of the Revised Statutes of the State of Missouri, in relation to the commencement of suits, service of process, etc., in justices courts, and enacting in lieu thereof a new section,' and to enact a new section relating to service of summons in justices courts," to Committee on Justices of the Peace ;

Substitute for House bill No. 319, entitled "An act to repeal section 7384 of chapter 158 of the Revised Statutes of the State of Missouri for 1879, relating to county surveyors, and enacting a new section in lieu thereof, relating to the same subject, and to be known as section 7384," to Committee on Judiciary;

Substitute for House bill No. 318, entitled "An act to amend section 1631 of article 8 of chapter 24 of the Revised Statutes of the State of Missouri, 1879, concerning crimes and criminal procedure, and the several acts amendatory thereof," to Committee on Criminal Jurisprudence;

House bill No. 30, entitled "An act to amend section 6 of an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883," to Committee on Agriculture, Roads and Highways;

House bill No. 537, entitled "An act to amend section 4 of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists, approved March 29, 1883,' entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 26, 1881," to Committee on Criminal Jurisprudence;

House bill No. 516, entitled "An act entitled an act to repeal section 7053 of chapter 150, article 1 of the Revised Statutes of Missouri, 'Of schools;' to repeal an act entitled 'An act to amend section 7052 of chapter 150, article 1 of the Revised Statutes of Missouri, 'Of schools,' approved April 2, 1883,' and to repeal an act to amend section 7054 of the Revised Statutes of the State of Missouri, in relation to colored schools, approved March 16, 1883, an to enact two new sections in lieu thereof, to be numbreed 7052 and 7053," to Committee on University, Public and Normal School Education;

House bill No. 593, entitled "An act to amend section 982 of article 10, chapter 21 of the Revised Statutes of the State of Missouri," to Committee on Corporations other than Railroad and Insurance Companies.

Substitute for Senate bill No. 314, entitled "An act to prevent any person circulating petition for a dramshop license from forging, procuring or allowing to be forged any name or names thereon, and prevent such license from being granted, and providing for appeal to the circuit court," was read third time and passed by the following vote:

AYES—Senators Claycomb, Downing, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Sparks, Taggart and Webster—20.

NOES—Senators Davisson, Gideon, Kelly, Ketchum and Ryors—5
ABSENT--Senator Proctor.

ABSENT WITH LEAVE--Senators Allen, Ball, Castleman, Harmon, Moran, Sears, Smith and Wood—8.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following House amendment to Senate bill No. 178 was read first and second times :

Amend Senate bill No. 178 by adding to section one thereof the following : "*Provided*, that in no case shall any county court proceed as in this act provided, until notice thereof shall have been given in some newspaper of the county for not less than four weeks, stating the amount of such revenue to be set apart, the term of court at which said order will be made, and the object and purpose of the same. The last insertion of said notice shall be made not less than four weeks before said order setting apart said revenue shall be made, and if there be no newspaper published in said county, then said notice shall be given by posting up written or printed hand bills at least one in each township of said county in some public place, sixty days before the term of making such order ; and if during or after said notice shall have been given, and before the order setting apart said funds shall be made, one-third of the qualified voters, as shown by the poll books of the last election for State and county officers, shall remonstrate, in writing, against such proposed action, then any action by such county court thereafter under this act shall be void."

The amendment was read third time and concurred in by the following vote :

AYES — Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—30.

NO—Senator Saltonstall.

ABSENT—Senator Smith.

ABSENT WITH LEAVE—Senators Moran and Proctor—2.

Senator Parcher moved to reconsider the vote by which the amendment was concurred in, and to lay that motion on the table. The latter motion prevailed.

House bill No. 166, entitled "An act to repeal section 2305 of the Revised Statutes of Missouri, 1879, and to enact a section in the place thereof, to be numbered 2305," was read third time and passed by the following vote :

AYES—Senators Allen, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Parcher, Proctor, Seabourn, Sears, Sheldon, Simrall and Webster—19.

NOES—Senators Castleman, Claycomb, Harmon, Johnson of Montgomery, Mackey, Ryors, Saltonstall, Sebree, Sparks and Taggart—10.

ABSENT—Senators Ball, Davisson, Smith and Wood—4.

ABSENT WITH LEAVE—Senator Moran.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following communications were received from the House of Representatives, which were read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 177; also, taken up and concurred in Senate amendment to House joint and concurrent resolution No. 19, fixing the time of adjournment of the Thirty-fourth General Assembly at 12 o'clock M. Monday, March 21, 1887.

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 162, entitled "An act for the relief of Fitzhugh Collins, and to appropriate money therefor;"

Also, Substitute for House bill No. 76, entitled "An act to restrict the legislative authority of incorporated towns and cities in regard to granting franchises for using the streets and alleys of incorporated towns and cities of this State for elevated, underground and other street railway purposes."

In which the concurrence of the Senate is respectfully requested.

Senator Castleman submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance, to whom was referred House bill No. 385, entitled "An act to provide for the incorporation and regulation of associations, societies or companies doing a life or casualty insurance business on the assessment plan," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments :

Amend by striking out from fifth line of third section, the word "an," and insert in lieu thereof the word "the."

The amendment was read first and second times and agreed to.

Second. Amend by striking out from lines 5, 6, 7 and 8 of third section of printed bill, the following words: "absolutely not less than one hundred dollars, and in addition thereto, if any, a percentage of

the assessment, the total not to exceed the sum limited in the policy or certificate which it promises to pay."

The amendment was read first and second times and agreed to.

Third. Amend by striking out of 30th, 31st, 32d, 33d, 34th, 35th and 36th lines of third section, the following words: "and every corporation of this State organized or doing business under this act, shall be required within two years after its incorporation or acceptance of the provisions of this act, to pay the maximum amount named in its policies or certificates in full; and in case of failure to do so, shall be proceeded against by quo warranto to oust said corporation of its franchises."

The amendment was read first and second times and agreed to.

Fourth. Amend section 5 of printed bill by striking out all that part of section commencing with the word "corporations," in the first line, and ending with the word "thereof," in the fourth line, and inserting in lieu thereof the following: "corporations organized or doing business of life insurance under this act shall provide for the accumulation of an emergency fund; which shall be not less than the proceeds of one death assessment on all policy or certificate holders thereof; corporations organized or doing the business of casualty insurance under this act shall provide in like manner for the accumulation of an emergency fund, which shall be equal to the amount of the maximum policy or certificate which they issue."

The amendment was read first and second times and agreed to.

The rules were suspended and House bill No. 385, entitled "An act to provide for the incorporation and regulation of associations, societies or companies doing a life or casualty insurance business on the assessment plan," as amended, was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—31.

ABSENT—Senators Davisson and Kelly—2.

ABSENT WITH LEAVE—Senator Moran.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Davisson, Harmon and Kerwin—3.

ABSENT WITH LEAVE—Senator Moran.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

The following House amendments to Senate bill No. 332 were taken up :

No. 1. Amend by inserting between the words "the" and "tax," in the 19th line, the word "county."

The amendment was read first and second times and agreed to by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

NO—Senator Saltonstall.

ABSENT—Senators Davisson, Harmon, Sebree and Sheldon—4.

No. 2. Amend by inserting between the words "the" and "tax," in the 7th line, the word "county."

The amendment was read third time and concurred in by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

NO—Senator Saltonstall.

ABSENT—Senators Davisson, Harmon, Sebree and Sheldon—4.

No. 3. Amend by inserting after the word "that," in line 4, the words "in counties having fifty thousand inhabitants or less."

The amendment was read third time and concurred in by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

NO—Senator Saltonstall.

ABSENT—Senators Davisson, Harmon, Sebree and Sheldon—4.

No. 4. And further amend by inserting after the word "that," in line 16, the words "in counties having fifty thousand inhabitants or less."

The amendment was read third time and concurred in by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Sebree, Smith, Sparks, Taggart, Webster and Wood—28.

NO—Senator Saltonstall.

ABSENT—Senators Davisson, Harmon, Sheldon and Simrall—4.

ABSENT WITH LEAVE—Senator Downing.

The following House amendment to Senate bill No. 115 was taken up :

Amend Senate bill No. 115, in line 5 of title, by changing the word "two" to "one," and also, in line 5, section 1, by changing the word "two" to "one;" and further amend in line 4, section 2 of printed bill, by inserting between the words "party" and "other," the words: "except in civil cases."

The amendment was read third time and concurred in by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—32.

ABSENT—Senators Harmon and Hunter—2.

Senator Castleman moved to reconsider the vote by which the amendments were adopted, and to lay that motion on the table. The latter motion prevailed.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read :

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 501, entitled "An act to prevent gambling under the guise of trading in stocks, bonds, petroleum, cotton, grain, provisions, or other commodities, and defining bucket shops," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Moran moved to suspend the rules and place House bill No. 501 on its passage.

The motion was agreed to by the following vote :

AYES—Senators Allen, Ball, Claycomb, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Moran, Parcher, Proctor, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—26.

NOES—Senators Castleman, Davisson, Ketchum, McGinnis, Ryors, Saltonstall and Simrall—7.

ABSENT—Senator Downing.

Senator Saltonstall offered the following amendment to the bill:

Amend section 3 of House bill No. 501 by adding thereto the following: "And whenever the parties to any contract for the sale or purchase for future delivery of any of said commodities shall adjust or settle said contract by a payment of the difference between the market price when bought or sold, and the same when adjusted or settled otherwise than by an actual delivery or receipt of the commodity sold or bought, such adjustment or settlement of differences shall be *prima facie* evidence of the guilt of said person or persons under this section, the same being intended to prohibit gambling in futures in all places in this State."

The amendment was not agreed to by the following vote:

AYES—Senators Castleman, Davisson, Hazell, Ketchum, McGinnis, Ryors, Saltonstall, Seabourn, Sebree and Simrall—10.

NOES—Senators Allen, Ball, Claycomb, Downing, Gideon, Harmon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Moran, Parcher, Proctor, Sears, Sheldon, Smith, Sparks, Taggart, Webster and Wood—24.

Senator Simrall offered the following amendment, which was read:

Amend section 4 by adding thereto the following: "And whenever any contract for the future delivery of any of said commodities shall be closed out and adjusted before the maturity thereof by a payment of the differences in price between the date of such sale and the date of such adjustment, such payment shall be *prima facie* evidence that such contract is void under this section and the parties guilty of the crime herein prohibited."

The amendment was not agreed to by the following vote:

AYES—Senators Castleman, Davisson, Hazell, Ketchum, McGinnis, Ryors, Saltonstall, Seabourn, Sebree and Simrall—10.

NOES—Senators Allen, Ball, Claycomb, Downing, Gideon, Harmon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Moran, Parcher, Proctor, Sears, Sheldon, Smith, Sparks, Taggart, Webster and Wood—24.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and concurred in Senate amendment to House bill No. 345, as follows:

Section 1. That section 926, chapter 21, article 8 of the Revised Statutes of Missouri, amended by an act entitled "An act to amend

section 925, chapter 21, article 8 of the Revised Statutes of Missouri, 'Of corporations,' approved March 20, 1885," be and the same is hereby repealed and a new section enacted in lieu thereof, as follows.

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 297, entitled "An act providing for the taxation of all railroad corporations in this State, or doing business therein, on their gross earnings for school purposes."

In which the concurrence of the Senate is respectfully requested.

Senator Ryors offered the following amendments to House bill No. 501:

Strike out all after the word "void," in line twenty of section 7, to the word "if," in line twenty-two of said section.

Also, to amend section 7 by striking out, wherever it occurs, the phrase "bucket shopping" and insert in lieu thereof the phrase "option dealing."

The amendments were not agreed to by the following vote:

AYES—Senators Hazell, Ketchum, McGinnis, Ryors, Saltonstall, Sebree and Simrall—7.

NOES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Moran, Parcher, Proctor, Seabourn, Sears, Sheldon, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senator Davisson.

Senator McGinnis offered the following amendment:

Amend printed bill by striking out of third line of section 1, the word "bucket shops" and insert in lieu thereof the words "house, office or other place in which grain, stocks, bonds, petroleum, cotton, provisions and other commodities are sold or offered to be sold or negotiated for, or in which bids or orders for the purchase or sale thereof are received to be transmitted to other places, not for actual delivery but in the way of what is commonly called options."

The amendment was not agreed to by the following vote:

AYES—Senators Ball, Castleman, Davisson, Hazell, Ketchum, McGinnis, Mansfield, Ryors, Saltonstall, Sebree, Sheldon, and Simrall—12.

NOES—Senators Allen, Claycomb, Downing, Harmon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Moran, Parcher, Proctor, Seabourn, Sears, Smith, Sparks, Taggart, Webster and Wood—21.

ABSENT—Senator Gideon.

House bill No. 501, entitled "An act to prevent gambling under

the guise of trading in stocks, bonds, petroleum, cotton, grain, provisions or other commodities, and defining bucket shops," was then read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—32.

NO—Senators Ketchum and Ryors—2.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

On motion of Senator Johnson of Montgomery, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The President called the Senate to order.

The following House bills were read first time :

Substitute for House bill No. 76, entitled "An act to restrict the legislative authority of incorporated towns and cities in regard to granting franchises for using the streets and alleys of incorporated towns and cities of this State for elevated, underground and other street railway purposes ;"

House bill No. 162, entitled "An act for the relief of Fitzhugh Collins, and to appropriate money therefor ;"

House bill No. 297, entitled "An act providing for the taxation of all railroad corporations in this State, or doing business therein, on their gross earnings for school purposes."

Senate bill No. 325, entitled "An act to authorize the county court of Wright county to relieve James A. Tate, treasurer of said county, from the payment of money stolen and belonging to said county," was read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Ketchum, McGinnis, Mansfield, Parcher, Proctor, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—25.

NO—Senator Sebree.

ABSENT—Senators Ball, Jacobs, Kelly, Kerwin, Mackey, Ryors and Saltonstall—7.

ABSENT WITH LEAVE—Senator Moran.

The title was read and agreed to.

Senator Mansfield moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Sebree offered the following protest against the passage of Senate bill No. 325 :

MR. PRESIDENT: I protest against the passage of No. 325, Senate bill, as being unconstitutional.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 355, entitled "An act to provide for the condemnation of right of way, etc.," beg leave to report that they have carefully examined the same and recommend that it do pass.

The rules were suspended and the above Senate bill, No. 355, was ordered engrossed and printed.

Senate bill No. 40, entitled "An act in relation to the taxation of business avocations by municipal corporations," was indefinitely postponed.

Senate bill No. 91, entitled "An act to amend section 4 of an act entitled 'An act to amend chapter 21 of the Revised Statutes of Missouri, entitled 'Of private corporations,' by adding a new article thereto, entitled 'Trust companies,' approved March 20, 1885,'" was indefinitely postponed.

Senate bill No. 179, entitled "An act to repeal section 1186 of chapter 23, article 5 of the Revised Statutes of Missouri of 1879, entitled 'Courts of record,' and relating to the fees of judges of probate, and to enact a new section in lieu thereof, relating to the same subject," was read third time and failed to pass by the following vote :

AYES—Senators Hazell, Hunter, Johnson or Madison, Ketchum, Mansfield, Sheldon, Smith, Webster and Wood—9.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Kelly, Kerwin, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Simrall, Sparks and Taggart—20.

ABSENT—Senators Bali, Jacobs, Johnson of Montgomery and Ryors—4.

ABSENT WITH LEAVE—Senator Moran.

Senator Sebree submitted the following report from the Committee on Justices of the Peace, which was read :

MR. PRESIDENT: Your Committee on Justices of the Peace, to whom was referred House bill No. 236, entitled "An act to repeal an act entitled 'An act to repeal section 2865 of chapter 44, article 3 of the

Revised Statutes of Missouri, in relation to the commencement of suits, service of process, etc., in justices courts, and enacting in lieu thereof a new section, and to enact a new section in relation to service of summons in justices courts," beg leave to report that they have carefully examined the same and recommend that it do not pass.

The above House bill No. 236, was indefinitely postponed.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read :

MR. PRESIDENT : Your Committee on Agriculture, Roads and Highways, to whom was referred House bill No. 517, entitled "An act concerning the introduction into and outbreak within the State of dangerous, contagious and infectious diseases of live stock," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senate bill No. 123, entitled "An act to amend section 3229 of article 2, chapter 48 of the Revised Statutes of the State of Missouri, entitled 'Limitations of actions,'" was read third time and failed to pass by the following vote :

AYES—Senators Allen, Davisson, Downing, Gideon, Hazell, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Parcher, Proctor, Seabourn, Sears, Smith and Webster—17.

NOES—Senators Castleman, Claycomb, Harmon, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Saltonstall, Sebree, Sheldon, Simrall, Sparks, Taggart and Wood—14.

ABSENT—Senators Ball and Ryors—2.

ABSENT WITH LEAVE—Senator Moran.

The following communications were received from the House of Representatives, which were read :

MR. PRESIDENT : I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 461, entitled "An act to amend an act entitled 'An act to repeal section 807, chapter 21, article 2 of the Revised Statutes of Missouri, entitled 'Of railroads,' and to enact a new section in lieu thereof, so as to define what an easy grade shall be under said act, and to prescribe what distance it shall be made."

In which the concurrence of the Senate is respectfully requested.

The House has also taken up and passed Senate bill No. 163, entitled "An act to repeal section 5019, article 6, chapter 89 of the Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages and to enact seventeen new sections in lieu thereof, to be known and designated as sections 5019, 5019*a*, 5019*b*, 5019*c*, 5019*d*, 5019*e*, 5019*f*, 5019*g*,

5019*h*, 5019*i*, 5019*j*, 5019*k*, 5019*l*, 5019*m*, 2019*n*, 1017*o*, 5019*p*, with an emergency clause, which was adopted.

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 614, entitled "An act to amend section 1759, article 13, chapter 24 of the Revised Statutes of the State of Missouri, 1879, entitled 'Crimes and criminal procedure;'"

Also, House bill No. 492, entitled "An act to amend section 1 of an act entitled 'An act to amend section 1 of an act entitled an act entitled an act making county treasurers *ex officio* county collectors in counties having adopted township organization, and defining his duties, of an act approved March 23, 1881, of an act approved March 27, 1883;'"

Also, House bill No. 674, entitled "An act to make copies of entries in and abstracts of title made from certain abstracts of title to land in Gentry county, Missouri, known as George C. Holden's abstracts when verified by affidavit, *prima facie* evidence of title in all courts and places in this State, and to allow the same to be rebutted by parol or other legal evidence, and to allow the use of any other competent evidence, either written or parol, in lieu of such abstract evidence, fixing a maximum schedule of fees for furnishing such copies of entries and abstracts of title, providing a penalty for exceeding such schedule of fees, and for failure to furnish such copies or abstracts of title under certain conditions, and making it a felony to falsely alter, destroy, corrupt, or falsify any entry in said abstracts of title, or to procure the same to be done, so that the same shall not conform to the original records of Gentry county, as now shown by such abstracts of title;"

Also, House bill No. 458, entitled "An act to repeal section 818, chapter 21, article 2 of the Revised Statutes of the State of Missouri of 1879, and to enact in lieu thereof a new section, to be known as section 818, relating to railroad companies, and prohibiting the officers and directors thereof from furnishing supplies thereto, and prescribing penalties therefor;"

Also, House bill No. 623, entitled "An act to authorize funding of the debt of counties in certain cases," with an emergency clause, which was rejected;

Also, House bill No. 369, entitled "An act to amend section 2 of an act to amend sections 7417, chapter 159, Revised Statutes of Missouri, approved March 18, 1885, entitled 'Of swine running at large;'"

Also, House bill No. 479, entitled "An act to amend an act entitled 'An act to amend section 3176 of article 1 of chapter 47 of the Revised Statutes of Missouri, entitled 'Of liens,' approved March 4, 1885;'"

Also, House bill 356, entitled "An act to amend an act entitled 'Inspectors of petroleum,' to amend section No. 5841."

In which the concurrence of the Senate is respectfully requested.

Senator Johnson of Montgomery submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 358, entitled "An act to authorize cities and towns heretofore incorporated under special charters to license, tax and regulate billiard, pool, shuffle board, bagatelle, pigeon hole and other tables," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senator Hunter moved to reconsider the vote by which substitute for House bill No. 84 failed to pass. The motion was agreed to.

Senator Downing moved to reconsider the vote by which substitute for House bill No. 84 was adopted. The motion was agreed to.

The question recurring on the adoption of the substitute for House bill No. 84, it was not adopted.

House bill No. 84, entitled "An act to provide for locating and erecting a State reform school for boys," was then read third time and passed by the following vote:

AYES—Senators Allen, Claycomb, Davisson, Downing, Gideon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Proctor, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—21.

NOES—Senators Castleman, Harmon, Johnson of Madison, Ryors and Saltonstall—5.

ABSENT—Senators Ball, Hunter, McGinnis, Seabourn, Sears, Sebree and Webster—7.

ABSENT WITH LEAVE—Senator Moran.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Claycomb, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Proctor, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—25.

NOES—Senators Castleman, Harmon, Hazell, Ryors and Saltonstall—5.

ABSENT—Senators Ball, McGinnis and Sebree—3.

ABSENT WITH LEAVE—Senator Moran.

Senator Simrall offered the following amendment to the title of House bill No. 84, which was read and agreed to:

Amend title by adding thereto the following words: "And to appropriate money therefor."

The title, as amended, was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Hunter submitted the following reports from the Committee on Ways and Means, which were read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 727, entitled "An act to repeal section 6729, article 2, chapter 145 of the Revised Statutes of the State of Missouri, entitled 'Of the assessment and collection of the revenue,' and to enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT. Your Committee on Ways and Means, to whom was referred House bill No. 208, entitled "An act to authorize the board of regents of Lincoln Institute to sell the institute farm and purchase land adjoining said institute," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 453, entitled "An act for the relief of the heirs of Morgan Sullivan, deceased, and James Dodds, and to appropriate money therefor," beg leave to report that they have carefully examined the same and a majority of the committee recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 117, entitled "An act to repeal section 6663 of article one of chapter 145 of the Revised Statutes of Missouri of 1879, in relation to taxation and equalization," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 282, entitled "An act entitled an act to facilitate the assessment and collection of the revenue," beg leave to report that they have carefully examined same and recommend that it do not pass.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 277, entitled "An act to create county and other local boards of health, defining their duties and powers, and providing for the compensation of their members and officers;"

Also, Senate bill No. 343, entitled "An act concerning mutual savings fund, loan and building associations," beg leave to report

that they have compared the same and find them to be truly engrossed and that the printed copies thereof furnished to the Senators are correct.

Senate bill No. 282, entitled "An act entitled an act to facilitate the assessment and collection of the revenue," was indefinitely postponed.

Senate bill No. 117, entitled "An act to repeal section 6663 of article one of chapter 145 of the Revised Statutes of Missouri of 1879, in relation to taxation and equalization," was indefinitely postponed.

Senate bill No. 323, entitled "An act prescribing limitation for bringing action on special tax bills, special assessments, and for bringing actions for and against property sold for taxes," was indefinitely postponed.

Senate bill No. 327, entitled "An act to amend section 1 of an act entitled 'An act to authorize any city containing more than twenty thousand and less than two hundred and fifty thousand inhabitants, existing by virtue of special or local laws, to extend its limits and to divide and redistrict its territory into proper wards, and to cause an enumeration of its inhabitants to be made and its population ascertained,' approved March 11, 1885," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—24.

NOES—Senators Davisson, Downing, Gideon, Ketchum and Wood—5.

ABSENT—Senators Kelly, Ryors and Sebree—3.

ABSENT WITH LEAVE—Senators Johnson of Montgomery and Moran—2.

The title was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Hunter submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 657, entitled "An act to amend section 6782 of the Revised Statutes of 1879, relating to settlement of collectors," beg leave to report that they have carefully examined the same and recommend that it do pass.

House bill No. 165, entitled "An act to amend section 3562 of the Revised Statutes of the State of Missouri, 1879, chapter 59, entitled 'Of

practice in civil cases,"' was read third time and failed to pass by the following vote :

AYES—Senators Gideon, Kerwin, Mansfield, Sears and Wood—5.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Johnson of Madison, Kelly, Ketchum, McGinnis, Mackey, Parcher, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—24.

ABSENT—Senators Ball, Jacobs and Proctor—3.

ABSENT WITH LEAVE—Senators Johnson of Montgomery and Moran—2.

The following communication was received from the House of Representatives, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 469, entitled "An act to provide for the collection of personal taxes ;"

Also, House bill No. 681, entitled "An act to provide for furnishing the people of the State of Missouri with a uniform series of text books, and to regulate the price thereof," with emergency clause, which was adopted ;

Also, House bill No. 138, entitled "An act to repeal section 2409 of chapter 32 of the Revised Statutes of the State of Missouri for 1879, in relation to executions, and to enact in lieu thereof a new section, to be known as section 2409 ;"

Also, House bill No. 446, entitled "An act to repeal section 1 of an act entitled 'An act to amend section 1 of an act approved March 24, 1881, entitled 'An act relating to the duties of county clerks and other officers in counties under township organization,' approved March 27, 1883 ;'"

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Taggart, the rules were suspended and Senate bill No. 358, entitled "An act to authorize cities and towns heretofore incorporated under special charters to license, tax and regulate billiard, pool, shuffle-board, bagatelle, pigeon hole and other tables," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Webster—29.

ABSENT—Senators Jacobs, Sheldon and Wood—3.

ABSENT WITH LEAVE—Senators Johnson of Montgomery and Moran—2.

The title was read and agreed to.

Senator Taggart moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator McGinnis moved that the Senate resolve itself into Committee of the Whole for the consideration of House bill No. 730. The motion was agreed to, and the Senate resolved itself into Committee of the Whole.

Senator Castleman in the chair.

The committee arose and Senator Castleman submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole, to whom was referred House bill No. 730, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State, for the payment of which no appropriation has hitherto been made," beg leave to report that they have considered the same and recommend that the same be referred to the Committee on Ways and Means.

House bill No. 457, entitled "An act to amend section 1158 of article 4, chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' as amended by an act approved March 24, 1883," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Kerwin, Ketchum, McGinnis, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT—Senators Kelly, Mackey and Ryors—3.

ABSENT WITH LEAVE—Senators Johnson of Montgomery and Moran—2.

The title was read and agreed to.

Senator Wood moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 596, entitled "An act to amend section 4 of the acts of 1883, approved March 24, 1883, entitled 'An act to repeal sections 1115 and 1128 of article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' and to repeal an act entitled 'An act to amend section 1145, article 3 of chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' approved March 18, 1881, and to repeal an act entitled 'An act to amend section 1157, chapter 23, article

4 of the Revised Statutes of the State of Missouri, in relation to courts of record,' approved March 26, 1881, and to repeal section 1 of an act entitled 'An act to amend sections 1127, 1135 and 1165 of the Revised Statutes, concerning circuit courts, and attaching the county of Taney to the 21st judicial circuit,' approved March 24, 1881, and to enact new sections in lieu of the sections and acts hereby repealed, and to amend an act entitled 'An act to amend section 1158, article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' approved March 11, 1881," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Downing, Kelly, Ryors and Sears—4.

ABSENT WITH LEAVE—Senator Johnson of Montgomery and Moran—2.

The title was read and agreed to.

Senator Hazell moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

The following communications were received from the House of Representatives, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 275, entitled "An act to amend chapter 25 of the Revised Statutes of 1879, entitled 'Of damages and contributions in actions of tort,' by adding a new section thereto, to be known as section 2121a;

Also, House bill No. 468, entitled "An act providing for back tax-books in cities having three hundred thousand inhabitants or more, and prescribing the manner of making the same," with an emergency clause, which was agreed to.

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed Senate bill No. 347, entitled "An act to authorize the location of county seats in counties where the seat of justice shall have been destroyed by the caving of river banks."

House bill No. 634, entitled "An act to amend section 7139 of article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,'" was read third time and failed to pass by the following vote:

AYES—Senators Downing, Hunter, Kerwin, Parcher, Proctor, Saltonstall and Webster—7.

NOES—Senators Allen, Ball Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Johnson of Madison, McGinnis, Mackey, Sears, Sebree, Sheldon, Smith, Sparks, Taggart and Wood—18.

ABSENT—Senators Jacobs, Kelly, Ketchum, Mansfield, Ryors, Seabourn and Simrall—7.

ABSENT WITH LEAVE—Senators Johnson of Montgomery and Moran—2.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 661, entitled "An act to prevent the adulteration of milk and cream, and to provide for the licensing and regulating of milk dealers in cities," with an amended title.

In which the concurrence of the Senate is respectfully requested.

The following House bills were read first time:

House bill No. 492, entitled "An act to amend section 1 of an act entitled an act to amend section 1 of an act entitled an act entitled 'An act making county treasurers *ex officio* county collectors in counties having adopted township organization, and defining his duties,' of an act approved March 23, 1881, of an act approved March 27, 1883;"

Also, House bill No. 461, entitled "An act to amend an act entitled 'An act to repeal section 807, chapter 21, article 2 of the Revised Statutes of Missouri, entitled 'Of railroads,' and to enact a new section in lieu thereof,' so as to define what an easy grade shall be under said act, and to prescribe what distance it shall be made;"

Also, House bill No. 681, entitled "An act to provide for furnishing the people of the State of Missouri with a uniform series of text-books and to regulate the price thereof;"

Also, House bill No. 674, entitled "An act to make copies of entries in and abstracts of title made from certain abstracts of title to lands in Gentry county, Missouri, known as George C. Holden's abstracts, when verified by affidavit, *prima facie* evidence of title in all courts and places in this State, and to allow the same to be rebutted by parol or other legal evidence, and to allow the use of any other competent evidence, either written or parol, in lieu of such abstract evidence, fixing a maximum schedule of fees for furnishing such copies of entries and abstracts of title, providing a penalty for exceeding such schedule of fees, and for failure to furnish such copies or abstracts of title under certain conditions, and making it a felony to falsely alter, destroy, corrupt or falsify any entry in said abstracts of title, or to procure the same to be done, so that the same shall not conform to the original records of Gentry county, as now shown by such abstracts of title;"

Also, House bill No. 275, entitled "An act to amend chapter 25 of the Revised Statutes of 1879, entitled 'Of damages and contributions in actions of tort,' by adding a new section thereto, to be known as section 2121a ;"

Also, House bill No. 614, entitled "An act to amend section 1759, article 13, chapter 24 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of crimes and criminal procedure ;' "

Also, House bill No. 468, entitled "An act providing for back tax books in cities having three hundred thousand inhabitants or more, and prescribing the manner of making the same ;"

Also, House bill No. 469, entitled "An act to provide for the collection of personal taxes ;"

Also, House bill No. 661, entitled "An act to prevent the adulteration of milk and cream, and to provide for the licensing and regulating of milk dealers in cities ;"

Also, House bill No. 138, entitled "An act to repeal section 2409 of chapter 32 of the Revised Statutes of the State of Missouri for 1879, in relation to executions, and to enact in lieu thereof a new section, to be known as section 2409 ;"

Also, House bill No. 446, entitled "An act to repeal section 1 of an act entitled an act to amend section 1 of an act approved March 24, 1881, entitled 'An act relating to the duties of county clerks and other officers in counties under township organization,' approved March 27, 1883 ;"

Also, House bill No. 369, entitled "An act to amend section 2 of an act to amend section 7417, chapter 159, Revised Statutes of Missouri, approved March 18, 1885, entitled 'Of swine running at large ;' "

Also, House bill No. 458, entitled "An act to repeal section 818, chapter 21, article 2 of the Revised Statutes of the State of Missouri of 1879, and to enact in lieu thereof a new section, to be known as section 818, relating to railroad companies, and prohibiting the officers and directors thereof from furnishing supplies thereto, and prescribing penalties therefor ;"

Also, House bill No. 353, entitled "An act to amend an act entitled "Inspectors of petroleum,' to amend section No. 5841 ;"

Also, House bill No. 623, entitled "An act to authorize funding of the debt of counties in certain cases ;"

Also, House bill No. 479, entitled "An act to amend an act entitled 'An act to amend section 3176 of article 1 of chapter 47 of the Revised Statutes of Missouri, entitled 'Of liens,' approved March 4, 1885."

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 177, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations;'"

Also, Senate bill No. 178, entitled "An act to authorize county courts to provide for the payment and to pay for bridges, court houses, jails or other public buildings erected or repaired, or for improvements thereon in certain cases;"

Also, Senate bill No. 115, entitled "An act defining the duties of circuit and prosecuting attorneys and assistant circuit and prosecuting attorneys of courts of this State, having jurisdiction of criminal matters in cities within this State, which now have or which may hereafter have populations of over one hundred thousand inhabitants; forbidding the employment of said officers in business other than that of the State, by parties other than the State, forbidding their accepting, taking, receiving, contracting or bargaining for any fee, reward, gift or thing of value whatsoever, other than the salary provided by law, for any services by them rendered during the terms of their offices; providing, in certain cases, for their suspension from office and for the appointment by the Governor of their successors; prescribing the duties, qualifications and compensation of their successors, and prescribing punishments for the violation of the provisions of this act;"

Also, Senate bill No. 332, entitled "An act entitled 'An act to amend section three of an act entitled an act to amend sections 5438, 5440, 5442, 5456, 5464, and to repeal section 5462 of chapter 98, entitled 'Of dramshops,' as approved March 24, 1883,'" beg leave to report that they have carefully examined the same and find them truly enrolled.

On motion of Senator Sheldon, the Senate adjourned until 9:30 o'clock to-morrow morning.

FIFTY-FOURTH DAY—THURSDAY, March 17, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Rev. Mr. Boone.

Journal of yesterday read and approved.

Senator Taggart presented the following petition asking the passage of House bill No. 674: From 708 citizens of Gentry county, which was referred to Committee on Judiciary.

Senator Taggart presented a remonstrance from 823 citizens of Gentry county against the passage of House bill No. 674, which was referred to Committee on Judiciary.

Senator Downing submitted the following reports from the Committee on Judiciary, which were read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred substitute for House bill No. 205, entitled "An act authorizing executors and administrators to borrow money to pay debts," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 610, entitled "An act to empower the Register of Lands to make a patent conveying northwest fractional quarter of section No. sixteen (16), township No. thirty-nine (39) north, of range No. two (2) west, to Benjamin F. Reeves, his heirs and assigns," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary to whom was referred substitute for House bill No. 319, entitled "An act to repeal section 7384 of chapter 158 of the Revised Statutes of the State of Missouri for 1879, relating to county surveyors, and enacting a new section in lieu thereof, relating to the same subject, and to be known as section 7384," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 679, entitled "An act to make abstracts of T. O. Tucker of Douglass county evidence in all courts in this State," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 52, entitled "An act to amend section 4014 of chapter 72 of the Revised Statutes of the State of Missouri, entitled 'Of witnesses,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance," which was read.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 448, entitled "An act providing for police judges in cities of the fourth class,"

beg leave to report that they have examined the same and recommend that it do pass.

Senator Wood submitted the following reports from the Committee on University, Public and Normal School Education, which were read:

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred House bill No. 430, entitled "An act to repeal sections 7050 and 7075 of chapter 150, article 1, of the Revised Statutes of Missouri, 'Of schools,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred House bill No. 516, entitled "An act to repeal section 7053 of chapter 150, Revised Statutes of Missouri, to repeal an act entitled 'An act to amend section 7052 of chapter 150 of the Revised Statutes, 'Of schools,' approved April 2, 1883, and to repeal an act entitled 'An act to amend section 7054 of the Revised Statutes,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Claycomb submitted the following reports from the Committee on Eleemosynary Institutions, which were read:

MR. PRESIDENT: Your Committee on Eleemosynary Institutions, to whom was referred House bill No. 193, entitled "An act to amend section 4113 of chapter 77 of the Revised Statutes of the State of Missouri for 1879, entitled 'Of asylums;,' also, to amend chapter 77 of the Revised Statutes of the State of Missouri, entitled 'Of asylums,' by adding thereto a new section, relating to the chronic insane, to be numbered section 4159a;," also, to amend an act entitled 'An act to establish an insane asylum in the southwestern portion of the State, to be known as Lunatic Asylum No. Three, and to appropriate money therefor, approved March 19, 1885, by adding a new section thereto, relating to the chronic insane,' to be numbered section 26," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Eleemosynary Institutions, to whom was referred House bill No. 265, entitled "An act to establish an institution under the name and style of the State industrial home for girls," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Claycomb submitted the following report from the Committee on Labor, Mines and Manufactories, which was read:

MR. PRESIDENT: Your Committee on Labor, Mines and Manufactories, to whom was referred House bill No. 460, entitled "An act to

facilitate the collection of statistical data of the productive industries of the State," beg leave to report that they have considered the same and recommend that it do pass.

Senate bill No. 356, entitled "An act to regulate the practice of architecture in the State of Missouri," was indefinitely postponed.

The following House bills were read second time and referred to committees, as follows :

Substitute for House bill No. 76, entitled "An act to restrict the legislative authority of incorporated towns and cities in regard to granting franchises for using the streets and alleys of incorporated towns and cities of this State for elevated, underground and other street railway purposes," to Committee on Corporations other than Railroads and Insurance ;

House bill No. 297, entitled "An act providing for the taxation of all railroad corporations in this State, or doing business therein, on their gross earnings for school purposes," to Committee on Judiciary ;

House bill No. 162, entitled "An act for the relief of Fitzhugh Collins, and to appropriate money therefor," to Committee on Corporations other than Railroads and Insurance ;

House bill No. 479, entitled "An act to amend an act entitled 'An act to amend section 3176 of article 1 of chapter 47 of the Revised Statutes of Missouri, entitled 'Of liens,' approved March 4, 1885,'" to Committee on Judiciary ;

House bill No. 623, entitled "An act to authorize funding of the debt of counties in certain cases," to Committee on Ways and Means ;

House bill No. 369, entitled "An act to amend section 2 of an act to amend sections 7417, chapter 159, Revised Statutes of Missouri, approved March 18, 1885, entitled 'Of swine running at large,' " to Committee on Agriculture, Roads and Highways ;

House bill No. 458, entitled "An act to repeal section 818, chapter 21, article 2 of the Revised Statutes of the State of Missouri of 1879, and to enact in lieu thereof a new section, to be known as section 818, relating to railroad companies, and prohibiting the officers and directors thereof from furnishing supplies thereto, and prescribing penalties therefor," to Committee on Railroads and Insurance ;

House bills No. 356, entitled "An act to amend an act entitled 'Inspectors of petroleum,' to amend section No. 5841," to Committee on Ways and Means ;

House bill No. 138, entitled "An act to repeal section 2409 of chapter 32 of the Revised Statutes of the State of Missouri for 1879, in relation to executions, and to enact in lieu thereof a new section, to be known as section 2409," to Committee on Judiciary ;

House bill No. 275, entitled "An act to amend chapter 25 of the Revised Statutes of 1879, entitled 'Of damages and contributions in actions of tort,' by adding a new section thereto, to be known as section 2121a," to Committee on Judiciary ;

House bill No. 448, entitled "An act providing for police judges in cities of the fourth class," to Committee on Ways and Means ;

House bill No. 661, entitled "An act to prevent the adulteration of milk and cream, and to provide for the licensing and regulating of milk dealers in cities," to Committee on Criminal Jurisprudence ;

House bill No. 681, entitled "An act to provide for furnishing the people of the State of Missouri with a uniform series of text-books and to regulate the price thereof," to Committee on University, Public and Normal School Education ;

House bill No. 446, entitled "An act to repeal section 1 of an act entitled "An act to amend section 1 of an act approved March 24, 1881, entitled 'An act relating to the duties of county clerks and other officers in counties under township organization,' approved March 27, 1883," to Committee on Township Organization, Representative Apportionment and County Boundaries ;

House bill No. 469, entitled "An act to provide for the collection of personal taxes," to Committee on Ways and Means ;

House bill No. 674, entitled "An act to make copies of entries in and abstracts of title made from certain abstracts of title to lands in Gentry county, Missouri, known as George C. Holden's abstracts, when verified by affidavit, *prima facie* evidence of title in all courts and places in this State, and to allow the same to be rebutted by parol or other legal evidence, and to allow the use of any other competent evidence, either written or parol, in lieu of such abstract evidence, fixing a maximum schedule of fees, for furnishing such copies of entries and abstracts of title, providing a penalty for exceeding such schedule of fees, and for failure to furnish such copies or abstracts of title under certain conditions, and making it a felony to falsely alter, destroy, corrupt or falsify any entry in said abstracts of title, or to procure the same to be done, so that the same shall not conform to the original records of Gentry county, as now shown by such abstracts of title," to Committee on Judiciary.

Senator Taggart offered the following amendment to the above bill, which was read first and second times and agreed to :

Amend House bill No. 674, by striking out the word "and," in lines six and eight of section three, and insert in lieu thereof the word "two."

The amendment was referred to Committee on Judiciary, with bill.

The following House bills were read second time and referred to committees, as follows:

House bill No. 461, entitled "An act to amend an act entitled 'An act to repeal section 807, chapter 21, article 2 of the Revised Statutes of Missouri, entitled 'Of railroads,' and to enact a new section in lieu thereof,' so as to define what an easy grade shall be under said act, and to prescribe what distance it shall be made," to Committee on Railroads and Insurance.

House bill No. 492, entitled "An act to amend section 1 of an act entitled an act to amend section 1 of an act entitled 'An act making county treasurers *ex officio* county collectors in counties having adopted township organization, and defining his duties, of an act approved March 23, 1881, of an act approved March 27, 1883," to Committee on Township Organization, Representative Apportionment and County Boundaries.

House bill No. 614, entitled "An act to amend section 1759, article 13, chapter 24 of the Revised Statutes of the State of Missouri, 1879, entitled 'Crimes and criminal procedure,'" to Committee on Criminal Jurisprudence.

Senator Harmon submitted the following report from the Committee on Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Railroads and Insurance, to whom was referred Senate bill No. 350, beg leave to report that they have examined the same and recommend that it do not pass.

The above Senate bill No. 350 was indefinitely postponed.

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 177, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri, 1879, entitled 'Of private corporations;'"

Also, Senate bill No. 332, entitled "An act entitled an act to amend section three of an act entitled 'An act to amend sections 5438, 5440, 5442, 5456, 5464, and to repeal section 5462 of chapter 98, entitled 'Of dramshops,' as approved March 24, 1883;'"

Also, Senate bill No. 115, entitled "An act defining the duties of circuit and prosecuting attorneys and assistant circuit and prosecuting attorneys of courts of this State, having jurisdiction of criminal matters in cities within this State, which now have or which may hereafter have populations of over two hundred thousand inhabitants; forbidding the employment of said officers in business other than that of the State, by parties other than the State, forbidding their accepting, taking, receiving, contracting or bargaining for any fee, reward, gift or thing of value whatsoever, other than the salary provided by law, for

any services by them rendered during the terms of their offices ; providing, in certain cases for their suspension from office and for the appointment by the Governor of their successors, prescribing the duties, qualifications and compensations of their successors, and prescribing punishments for the violation of the provisions of this act ;”

Also, Senate bill No. 178, entitled “An act to authorize county courts to provide for the payment and to pay for bridges, court houses, jails or other public buildings erected or repaired, or for improvements thereon in certain cases,” and announced upon the reading of each bill that unless objection be made he would sign the same to the end that it become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bills were then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

The following communication was received from the House of Representatives, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 647, entitled “An act concerning railroads, and providing that each and every railroad corporation or association organized for the purpose of constructing or operating a railroad in this State, or that may hereafter be organized for such a purpose, shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States ; and that every railroad company shall have the right, with its road, to intersect, connect with or cross any other railroad ; and that each railroad shall receive and transport the passengers, tonnage and cars, loaded or empty, of any railroad intersecting, connecting with or crossing its road, without delay or discrimination ; and providing penalties for the violation thereof ; and repealing section 819, chapter 21, article 2 of the Revised Statutes of Missouri for 1879 ; ”

Also, substitute for House bills Nos. 16, 230, 360, 405, entitled “An act to repeal an act entitled ‘An act to revise and amend the general laws in relation to roads and highways, and providing for establishing, opening, repairing and vacating the same,’ approved March 31, 1883, and to enact a new law in lieu thereof,” with an emergency clause, which was adopted.

In which the concurrence of the Senate is respectfully requested.

Senate bill No. 277, entitled “An act to create county and other local boards of health, defining their duties and powers, and providing

for the compensation of their members and officers," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Ball, Davisson, Hazell, Sears, Sebree and Webster—7.

NOES—Senators Claycomb, Gideon, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Ryors, Saltonstall, Sheldon, Simrall, Smith, Sparks and Taggart—17.

ABSENT—Senators Castleman, Downing, Harmon, Hunter, Jacobs, Kelly, Moran, Proctor, Seabourn and Wood—10.

Senate bill No. 343, entitled "An act concerning mutual savings fund, loan and building associations," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—29.

NO—Senator Harmon.

ABSENT—Senators Downing, Jacobs, Moran and Simrall—4.

The title was read and agreed to.

Senator Castleman moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Sparks submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 355, entitled "An act providing that one or more railroad companies may construct and operate separate tracks over and upon the same right of way, and defining and limiting the rights acquired by any railroad company under the provisions of section 786 of the Revised Statutes," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

The rules were suspended, and the above Senate bill No. 355 was read third time and passed by the following vote:

AYES—Senators Castleman, Claycomb, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks, Taggart and Webster—20.

NOES—Senators Allen, Gideon, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Ryors and Sheldon—9.

ABSENT—Senators Ball, Davisson, Downing and Wood—4.

ABSENT WITH LEAVE—Senator Moran.

The title was read and agreed to.

Senator Sparks moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 327, entitled "An act to establish the responsibility of railroad corporations, companies and persons owning or operating railroads, for damages by fires communicated by locomotive engines," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—31.

NO—Senator Gideon.

ABSENT—Senator Downing.

ABSENT ON LEAVE—Senator Moran.

The title was read and agreed to.

Senator Harmon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 657, entitled "An act to amend section 6782 of the Revised Statutes of 1879, relating to settlement of collectors," was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—28.

NO—Senator Simrall.

ABSENT—Senators Allen, Downing, Jacobs and Ketchum—4.

ABSENT WITH LEAVE—Senator Moran.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 689, entitled "An act providing for the holding of two terms of the Lawrence county circuit court at the city of Peirce City, in said county, and prescribing the jurisdiction thereof," was read third time and failed to pass by the following vote:

AYES—Senators Harmon, Mackey, Mansfield, Parcher, Proctor, Ryors, Sears, Sparks and Wood—9.

NOES—Senators Ball, Castleman, Claycomb, Davisson, Gideon, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Smith, Taggart and Webster—18.

ABSENT—Senators Allen, Downing, Hazell, Jacobs, Kelly and Ketchum—6.

ABSENT WITH LEAVE—Senator Moran.

House bill No. 278, entitled “An act to prohibit the keeping of any house, room or place to be used for the purpose of smoking opium, or any other deadly drug, and providing a penalty therefor,” was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—28.

ABSENT—Senators Allen, Downing, Jacobs, Kelly and Wood—5.

ABSENT WITH LEAVE—Senator Moran.

The title was read and agreed to.

Senator Sheldon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Smith submitted a final report from the special committee to investigate concerns of the Agricultural College Farm. The report was received and 1,500 copies ordered printed.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read:

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred House bill No. 436, entitled “An act to amend section 1 of an act entitled ‘An act to prevent persons from breaking down bridges and culverts, from frightening horses, mules, and other animals attached to vehicles of any kind or ridden by persons, by moving steam engines of any kind, corn mills, cane mills, saw mills, reaping and mowing machines on public highways,’ approved March 31, 1885,” beg leave to report that they have carefully considered the same and recommend that it do pass.

House bill No. 500, entitled “An act to repeal section 2 of an act entitled ‘An act to organize municipal townships in all counties that have not adopted township organization, into bodies corporate for road purposes only, and to create a board of township road commissioners therein, with defined powers and duties,’ approved March 31, 1883, and to enact a new section in lieu thereof,” was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly,

McGinnis, Mackey, Parcher, Proctor, Ryors, Saltonstall, [Seabourn, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—25.

NO—Senator Johnson of Madison.

ABSENT—Senators Allen, Davisson, Kerwin, Ketchum, Mansfield, Sears and Wood—7.

ABSENT WITH LEAVE—Senator Moran.

The emergency clause was adopted by the following vote:

AYES—Senators Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly Kerwin, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—27.

NOES—Senators Johnson of Madison and Ketchum—2.

ABSENT—Senators Allen, Ball, Seabourn and Wood—4.

ABSENT WITH LEAVE—Senator Moran.

The title was read and agreed to.

Senator Harmon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Smith submitted the following reports from the Committee on Penitentiary, which were read:

MR. PRESIDENT: Your Committee on Penitentiary, to whom was referred House bill No. 112, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary to be known as Missouri Penitentiary No. 2, and to appropriate money therefor,'" beg leave to report that they have carefully examined same, and recommend that it do pass.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill 351, entitled "An act to repeal section 1691, article 10 of chapter 24, Revised Statutes of Missouri, and to enact a new section in lieu thereof," beg leave to report that they have carefully examined same and recommend that it do pass with amendments.

Amend section 1691 by striking out same and inserting in lieu the following, viz.: Section 1691. *Property stolen in one county—taken to another.*—Where property is stolen in one county and brought into another county, the offender shall be indicted, tried and convicted in the county where the larceny is first committed.

The amendment was read first and second times and agreed to.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 367, entitled "An act to repeal section 832, article 3 of chapter 21 of the Revised Statutes of Missouri of 1879, and enact a new section in lieu thereof, to be known as section 832a," in which the concurrence of the Senate respectfully requested.

Senator Simrall submitted the following reports from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 318, entitled "An act to amend section 1631 of article 8 of chapter 24 of the Revised Statutes of the State of Missouri, 1879, concerning crimes and criminal procedure, and the several acts amendatory thereto," beg leave to report that they have carefully examined same, and recommend that it do pass;

Also, House bill No. 537, entitled "An act to amend section 4 of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 29, 1883, entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 26, 1881;"

Also, House bill No. 247, entitled "An act to amend section 5596, chapter 103, Revised Statutes of Missouri of 1879, entitled 'Of fees,'" beg leave to report that they have carefully examined the same and recommend that they do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 268, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' approved March 18, 1885,'" beg leave to report that they have carefully examined the same and recommend that in do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 66, entitled "An act to repeal sections 1625 and 1627, chapter 24, Revised Statutes, entitled 'Of crimes and criminal procedure,' and to enact two new sections in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 150, entitled "An act to amend section 2 of an act entitled 'An act regulating the sale of medicines and poisons by druggists and pharmacists,' approved March 29, 1883, entitled 'Intoxicating liquors,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 144, entitled "An act to repeal section 1352 of chapter 24, article 3, Revised Statutes of 1879, relating to crimes and criminal procedure, and enact in lieu thereof a new section, to be known as section 1352, and fixing a penalty for violation of same," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 298, entitled "An act to repeal sections 1591, 1592, 1593 and 1594 of article 8, chapter 24, Revised Statutes of 1879, relating to offenses against public morals and decency, or the public police and miscellaneous offenses, and enacting new sections in lieu thereof relating to the same subject, and to define and punish libel, and to regulate the defense in civil action and criminal prosecutions thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 633, entitled "An act for the regulation or suppression of the sale and disposition of intoxicating liquors by the people of the several counties in the State by election," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 338, entitled "An act to repeal sections 8 and 9 of an act entitled 'An act creating a board of health, and defining its duties and powers, and fixing the compensation of its officers,' and enact a new section in lieu thereof, to be known as section 8," beg leave to report that they have carefully examined the same and recommend that it do not pass.

House bill No. 328, entitled "An act providing for the organization of levee districts by the owners in any contiguous body of land situate in one or more counties in this State and bordering on, situate near or subject to overflow by the rivers of this State, to prevent and to protect such lands from such overflows," was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—29.

ABSENT—Senators Allen, Kerwin, Saltonstall and Wood—4.

ABSENT WITH LEAVE—Senators Moran.

The title was read and agreed to.

Senator Smith moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 269, entitled "An act to amend section 7153 chapter 150, article 2 of the Revised Statutes of the State of Missouri, concerning city, town and village schools," was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—29.

ABSENT—Senators Allen, Harmon, Kerwin and Ketchum—4.

ABSENT WITH LEAVE—Senator Moran.

The emergency clause was adopted by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Simrall, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Allen, Harmon, Ketchum, Sheldon and Smith—5.

ABSENT WITH LEAVE—Senators Moran.

The title was read and agreed to.

Senator Sparks moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

On motion of Senator Jacobs, the Senate adjourned until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

House bill No. 368, entitled "An an to amend section 3299 of chapter 52, entitled 'Of mortgages and deeds of trust,' of the Revised Statutes of Missouri, Revision of 1879," was read third time and failed to pass by the following vote:

AYES—Senators Downing, Seabourn, Sears, Simrall and Webster—5.

NOES—Senators Ball, Castleman, Claycomb, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Sebree and Taggart—22.

ABSENT—Senators Allen, Davisson, Sheldon, Sparks and Wood—5.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

Senator Allen was reported sick.

Senator Sparks was reported sick.

Senator Smith was granted leave of absence until Monday next.

House bill No. 688, entitled "An act providing for back tax books in cities having three hundred thousand inhabitants or more, and prescribing the manner of making the same," was indefinitely postponed.

The following communications were received from the House of Representatives, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, amended and passed Senate bill No. 140, as amended ;

Also, that the House has taken up and concurred in Senate amendments to House bill No. 85, as follows :

Amendment No. 1. Amend House bill No. 85, line 5, printed bill, by striking out the word "fifty," and inserting the words "five hundred."

Amendment No. 2. Amend line 6, printed bill, by striking out the word "hundred," and inserting the word "thousand."

Also, concurred in Senate amendments to House bill No. 177, as follows :

Amendment No. 1. Amend section one of House bill No. 177, by striking out the word "twenty," in line twenty, and insert "thirty."

Amendment No. 2. Amend section one of House bill No. 177, by inserting between the words "bonds" and "shall," in the 27th line of said section, the following: "Except in the levy of counties in this State which have heretofore compromised bonds or indebtedness for themselves as the municipal township thereof."

Amendment No. 3. Amend section one of House bill No. 177, by adding the following to section one: "*Provided*, that the several counties in this State which have heretofore compromised and funded bonds on indebtedness for themselves, or the municipal townships thereof, are hereby authorized and empowered to refund the same, or any part thereof, without an election, as provided by this act."

Also, concurred in Senate amendments to House bill No. 105, as follows :

Amendment No. 1. Amend by striking out all of section one.

Amendment No. 2. Amend by striking out in the first line of section 2 the following words and figures: "Section 2. That section 2 of the aforesaid act," and insert in lieu thereof the following words and figures: Section 1. That section 2 of an act entitled "An act to regulate the weighing of coal at the mines, and to establish a just and uniform system of weights between employers and employes, approved March 18, 1885."

Amendment No. 3. Amend by striking out of section 2, wherever they occur, the following words: "and the coal while being weighed

shall be at a stand still upon the scale or scales used for weighing same."

Amendment No. 4. Amend the title by striking out the following words and figures: "to amend sections 1 and 2," and insert in lieu thereof the following words: "to amend section two."

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and concurred in Senate amendments to House bill No. 385, as follows:

Amendment No. 1. Amend by striking out from fifth line of third section the word "an," and insert in lieu thereof the word "the."

Amendment No. 2. Amend by striking out from lines 5, 6, 7 and 8 of third section of printed bill, the following words: "Absolutely not less than one hundred dollars, and in addition thereto, if any, a percentage of the assessment, the total not to exceed the sum limited in the policy or certificate which it promises to pay."

Amendment No. 3. Amend by striking out of 30th, 31st, 32d, 33d, 34th, 35th and 36th lines of third section, the following words: "And every corporation of this State, organized or doing business under this act, shall be required, within two years after its incorporation or acceptance of the provisions of this act, to pay the maximum amount named in its policies or certificates in full, and in case of failure to do so, shall be proceeded against by *quo warranto* to oust said corporation of its franchises."

Amendment No. 4. Amend section 5 of printed bill by striking out all that part of section commencing with the word "corporation," in the first line, and ending with the word "thereof," in the fourth line, and inserting in lieu thereof the following:

"Corporations organized or doing the business of life insurance under this act, shall provide for the accumulation of an emergency fund, which shall be not less than the proceeds of one death assessment on all policy or certificate holders thereof; corporations organized or doing the business of casualty insurance under this act shall provide in like manner for the accumulation of an emergency fund, which shall be equal to the amount of the maximum policy or certificate which they issue."

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and concurred in Senate amendment to House bill No. 194, as follows:

Amend House bill No. 194 by adding: "*Provided, however, the resident voters upon any island in any of the navigable rivers of this State may organize into a school district without being subject to the restrictions in the preceding portion of this section.*"

Also, concurred in Senate amendment to substitute for House bill No. 26, as follows:

Amend section 1 by adding to section 1 the following words at the end thereof: "*And provided further*, that the limitation in this act specified shall not be deemed to apply in any case where the widow is in possession of and enjoying the mansion house of her husband, as specified in section No. 5, Revised Statutes of the State of Missouri of 1879, until she shall have been evicted therefrom."

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and concurred in Senate amendment to House bill No. 19, as follows:

Amend House bill No. 19 by inserting between the words "stock" and "so," in the ninth line of printed bill, the words "and by striking out the word 'twenty,' between the words 'than' and 'feet,' in the twelfth line of said section, and inserting in lieu thereof the word 'sixteen,' and by striking out the words 'and one-half,' between the words 'four' and 'feet,' in the 20th line of said section, and by adding to said section the words 'provided that nothing contained in this section shall be so construed as to relieve any railroad company from the obligation of fencing the right of way of said company against hog, sheep, cattle, horses and like stock.'"

House bill No. 530, entitled "An act to amend an act entitled 'An act to amend section 1154 of article 4, chapter 23 of the Revised Statutes of 1879, entitled 'Courts of record,' changing the time of holding courts in Pemiscot and Mississippi counties, approved February 26, 1885," was read third time and passed by the following vote:

AYES—Senators Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Taggart, Webster and Wood—26.

ABSENT—Senators Ball, Davisson, Harmon and Ketchum—4.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

SICK—Senators Allen and Sparks—2.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 410, entitled "An act to amend an act entitled 'An act to provide for the re-recording of conveyances in case of destruction of the record thereof,' approved March 18, 1885," was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Downing, Gideon,

Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Taggart and Webster—25.

NO—Senator Parcher.

ABSENT—Senators Davisson, Harmon, Ketchum and Wood—4.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

SICK—Senator Allen and Sparks—2.

The title was read and agreed to.

Senator Taggart moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

House bill No. 484, entitled "An act to amend an act entitled 'An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' approved March 24, 1885." was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Saltonstall, Seabourn, Sears, Sebree, Taggart and Webster—19.

NOES—Senators Hunter, Jacobs, Johnson of Madison, Parcher, Sheldon and Simrall—6.

ABSENT—Senators Davisson, Harmon, Mansfield, Ryors and Wood—5.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

SICK—Senators Allen and Sparks—2.

The title was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 50, entitled "An act to provide for payment of temporary judges," beg leave to report that they have carefully examined the same and recommend that it do pass.

House bill No. 257, entitled "An act to repeal sections 7055, 7056, 7057 and 7058 of article 1, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools,'" was read third time and failed to pass by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Hunter, Jacobs, Kerwin, Ketchum, Mackey, Parcher, Proctor, Saltonstall, Taggart and Webster—13.

NOES—Senators Davisson, Gideon, Hazell, Johnson of Madison,

Johnson of Montgomery, Kelly, McGinnis, Seabourn, Sears, Sebree, Sheldon and Simrall—12.

ABSENT—Senators Downing, Harmon, Mansfield, Ryors and Wood—5.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

SICK—Senators Allen and Sparks—2.

House bill No. 289, entitled "An act to amend an act entitled 'An act amending section 1215, article 4, chapter 23 of the Revised Statutes of Missouri of 1879, entitled 'Of county courts,' approved February 16, 1883, relating to the compensation of the judges," was read third time and failed to pass by the following vote:

AYES—Senators Ball, Castleman, Hunter, Seabourn, Sears and Sebree—6.

NOES—Senators Claycomb, Davisson, Downing, Gideon, Hazell, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum McGinnis, Mackey, Parcher, Proctor, Ryors, Saltonstall, Sheldon, Simrall, Taggart and Webster—20.

ABSENT—Senators Harmon, Jacobs, Mansfield and Wood—4.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

SICK—Senators Allen and Sparks—2.

House bill No. 179, entitled "An act for the relief of Francis Bracklein," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Taggart and Webster—26.

ABSENT—Senators Castleman, Harmon, Mansfield, Parcher and Wood—5.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

SICK—Senator Sparks.

The title was read and agreed to.

Senator Claycomb moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Hunter submitted the following report from the Committee on Ways and Means, which was read:

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 730, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been

made," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments.

Amend House bill No. 730 by striking out the words "October, November and December, year 1884," in line 43, page 2, printed bill, and insert in lieu thereof the words "April, May and June, year 1885."

The amendment was read first and second time and agreed to.

Senator Proctor offered the following amendment, which was read and not agreed to :

Amend House bill No. 730 by adding after the figures "525," in line five of section three, the following: "For the payment of compensation due Dr. Geo. Homan, Secretary of State Board of Health, twenty-two hundred dollars, (\$2,200)."

The following communication was received from the House of Representatives, through the Chief Clerk, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up Senate amendments to House bill No. 394, entitled "An act to require railroad companies or persons, owning or operating any railroad or railroads in this State, to furnish suitable and convenient cars for shipping live stock."

And concurred in amendment No. 1, as follows:

Amendment No. 1. Add to title, "And transporting and delivering the same to consignees at any station or stock yard in this State."

Also amended amendment No. 2, as follows :

Amendment No. 2. Amend section one by striking out all after the word "cars," in the fourth line of printed bill, and insert in lieu thereof the following: "Without unreasonable delay, with trap doors in the roof thereof, one near each end and upon opposite sides, large enough to conveniently admit a man's body; said trap doors shall be constructed near enough to the sides of the car to enable the shipper to conveniently descend to the interior of said car by means of a ladder or steps, which shall be constructed directly under such door. Such railroad company shall receive live stock for transportation to any place within the State; shall transport and deliver the same to any consignee, stock yard or place to whom or to which it may be consigned and directed: *Provided*, such person, stock yard or place can be reached by any track owned, leased or used, or which can be used by such corporation; and every such corporation shall permit connections to be made and maintained with its tracks to and from any and all stock yards where live stock is or may be kept. Any such corporation neglecting or refusing to comply with the requirements of this section shall be liable to all persons damaged thereby for all damages which they may sustain on that account, whether such damage result from

any depreciation in the value of such property by such neglect or refusal to deliver such live stock as directed, or in loss to the proprietor or manager of any stock yard to which it is directed to be delivered, and costs of suit, including such reasonable attorney's fees as shall be taxed by the court; and in case of any second or latter refusal of such railroad corporation to comply with the requirements of this section, such corporation shall be by the court, in any action on which such failure or refusal shall be found, adjudged to pay for the use of the people of this State, a sum of not less than one thousand nor more than five thousand dollars.

Section 2. Every railroad corporation chartered by or organized under the laws of this State, or doing business within the limits of the same, when desired by any person or corporation to ship live stock over its road in car load lots, shall receive and transport such live stock in car load lots within a reasonable time from any stock yard adjoining its tracks, or side tracks, or from the tracks of any other railroad corporation, or stock yard company, without distinction, discrimination or favor between one shipper and another, and without distinction or discrimination as to the manner in which such live stock is offered to it for transportation, or as to the person, stock yard company or place to whom or to which it may be consigned; and the penalties for any violation of the requirements of this section shall in all respects be the same, and shall be enforced and collected in the same manner as provided in the preceding section.

Amend Senate amendments to House bill 394, by striking out the words "section one," where they occur in the first line of amendment No. 2; and further amend by striking out all of amendment No. 3.

Senator Ryors moved to reconsider the vote by which the amendment No. 1 to House bill No. 730, was agreed to. The motion was agreed to.

Senator Parcher offered the following substitute for amendment No. 1, which was not agreed to:

Amend House bill No. 730 by striking out the 8th subdivision of section No. 1.

Senator Hunter, chairman of Committee on Ways and Means, asked leave to withdraw Amendment No. 1, offered by the committee, which was granted.

House bill No. 730, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Gideon, Ha-

zell, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart, Webster and Wood—24,

NOES—Senators Claycomb and Parcher—2.

ABSENT—Senators Davisson, Harmon, Jacobs, Johnson of Madison, Mansfield and Ryors—6.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

The title was read and agreed to.

Senator Hazell moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following communication was received from the House of Representatives, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 734, entitled "An act to prevent and punish the wrongful seizure and detention of persons," in which the concurrence of the Senate is respectfully requested.

The following House amendments to Senate bill No. 140, were taken up:

Amendment No. 1. Amend section 8 by striking out the word "or," in the end of the third line.

The amendment was read third time and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Proctor, Saltonstall, Sears, Sheldon, Sparks, Webster and Wood—19.

NOES—Senators Claycomb, Gideon, Ketchum, McGinnis, Parcher, Sebree and Taggart—7.

ABSENT—Senators Davisson, Jacobs, Mansfield, Ryors, Seabourn and Simrall—6.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

Amendment No. 3. Amend Senate bill No. 140 by striking out in the second and third lines of section 8, as follows: "The manufacture, sale and use of native or domestic wines under the provisions of law now in force on that subject."

The amendment was read third time and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Proctor, Saltonstall, Sears, Sheldon, Sparks, Webster and Wood—18.

NOES—Senators Claycomb, Gideon, Harmon, Ketchum, McGinnis, Parcher, Sebree and Taggart—8.

ABSENT—Senators Davisson, Jacobs, Mansfield, Ryors, Seabourn and Simrall—6.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

Amendment No. 2. Amend section 1, Senate bill No. 140, by inserting after the word "liquors," in the tenth line of said section, the words "including wine and beer."

The amendment was read third time and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Hazell, Hunter, Johnson of Madison, Kelly, Kerwin, Ketchum, Mackey, Proctor, Saltonstall, Sears, Sheldon, Simrall, Sparks, Webster and Wood—19.

NOES—Senators Claycomb, Gideon Harmon, Johnson of Montgomery, McGinnis, Parcher, Sebree and Taggart—8.

ABSENT—Senators Davisson, Jacobs, Mansfield, Ryors and Seabourn—5.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

Amendment No. 4. Amend section 5 by inserting between the words "thereof" and "and," in the fourth line of said section, the words "and the procuring of license for that purpose."

The amendment was read third time and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Hazell, Hunter, Johnson of Madison, Kelly Kerwin, Ketchum, Mackey, Proctor, Saltonstall, Sears, Sheldon, Simrall, Sparks, Webster and Wood—19.

NOES—Senators Claycomb, Gideon, Harmon, Johnson of Montgomery, McGinnis, Parcher, Sebree and Taggart—8.

ABSENT—Senators Davisson, Jacobs, Mansfield, Ryors and Seabourn—5.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

Senator Downing moved to reconsider the vote by which the amendments were agreed to, and to lay that motion on the table. The latter motion prevailed.

Senator Simrall submitted the following report from the Committee on Criminal Jurisprudence, which was read:

MR. PRESIDENT: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 614, entitled "An act to amend section 1759, Revised Statutes, relating to crimes;,"

Also, House bill No. 661, entitled "An act to prevent adulteration of milk and cream, and to provide for the licensing and regulating of milk dealers in cities," beg leave to report that they have carefully examined the same and recommend that they do pass.

Senator Downing submitted the following report from the Committee on Judiciary, which was read:

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 674, entitled "An act to make copies of entries in and abstracts of title made from certain abstracts of title to lands in Gentry county, Missouri, known as George C. Holden's abstracts, when verified by affidavit *prima facie* evidence of title in all courts and places in this State, and to allow the same to be rebutted by parol or other legal evidence, and to allow the use of any other competent evidence, either written or parol, in lieu of such abstract evidence, fixing a maximum schedule of fees for furnishing such copies of entries and abstracts of title providing a penalty for exceeding such schedule of fees, and for failure to furnish such copies or abstracts of title under certain conditions, and making it a felony to falsely alter, destroy, corrupt or falsify any entry in said abstracts of title, or to procure the same to be done, so that the same shall not conform to the original records of Gentry county, as now shown by said abstract of title," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Downing moved to reconsider the vote by which the amendment to House bill No. 674 was adopted. The motion was agreed to.

Senator Taggart asked leave to withdraw the amendment to House bill No. 674. Leave was granted.

Senator Parcher submitted the following report from the Committee on Township Organization, Representative Apportionment and County Boundaries, which was read:

MR. PRESIDENT: Your Committee on Township Organization, Representative Apportionment and County Boundaries, to whom was referred House bill No. 492, entitled "An act to amend section 1 of an act entitled 'An act to amend section 1 of an act entitled an act making county treasurers *ex officio* county collectors in counties having adopted township organization, and defining his duties,' of an act approved March 23, 1881, of an act approved March 27, 1883," beg leave to report that they have carefully considered the same and recommend that it do pass.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 163, entitled "An act to repeal section 5019, article 6, chapter 89 of the Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact seventeen new sections in lieu thereof, to be known and designated as sections 5019, 5019a, 5019b, 5019c, 5019d, 5019e, 5019f, 5019g, 5019h, 5019i, 6019j, 5019k, 5019l, 5019m, 5019n, 5019o, 5019p;"

Also, Senate bill No. 347, entitled "An act to authorize the location of county seats in counties where the seat of justice shall have been destroyed by the caving of river banks," beg leave to report that they have carefully examined the same and find them truly enrolled.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read :

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred House bill No. 369, entitled "An act to amend section 2 of an act to amend section 7417, chapter 159, Revised Statutes of Missouri, approved March 18, 1885, entitled 'Of swine running at large,'" beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred House bill No. 458, entitled "An act to repeal section 818, chapter 21, article 2 of the Revised Statutes of the State of Missouri of 1879, and to enact in lieu thereof a new section to be known as section 818, relating to railroad companies, and prohibiting the officers and directors thereof from furnishing supplies thereto, and prescribing penalties therefor," beg leave to report that they have carefully examined the same and recommend that it do pass.

The President announced that all other business would be suspended and directed the Secretary to read at length, Senate bill No. 163, entitled "An act to repeal section 5019, article 6, chapter 89 of the Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact seventeen new sections in lieu thereof, to be known and designated as sections 5019, 5019a, 5019b, 5019c, 5019d, 5019e, 5019f, 5019g, 5019h, 5019i, 5019j, 5019k, 5019l, 5019m, 5019n, 5019o, 5019p;"

Also, Senate bill No. 347, entitled "An act to authorize the location of county seats in counties where the seat of justice shall have been destroyed by the caving of river banks," and announced upon the reading of each bill that unless objection be made, he would sign the same to the end that it become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bills were immediately taken to the House of Representatives, read at length and signed by the Speaker and immediately presented to the Governor by the Secretary, for his approval.

Senator McGinnis submitted the following report from the Com-

mittee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 76, have had the same under consideration and instruct me to report it back to the Senate with the recommendation that it do pass.

The above House bill No. 76 was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Gideon, Harmon, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Seabee, Simrall, Taggart and Wood—22.

NOES—Senators Claycomb, Hazell, Sears, Sparks and Webster—5.

ABSENT—Senators Downing, Hunter, Jacobs, Ryors and Sheldon—5.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

Senator Ketchum move to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following House bills were read first time:

House bill No. 734, entitled "An act to prevent and punish the wrongful seizure and detention of persons ;"

House bill No. 367, entitled "An act to repeal section 832, article 3 of chapter 21 of the Revised Statutes of Missouri of 1879, and enact a new section in lieu thereof, to be known as section 832a ;"

Substitute for House bills Nos. 16, 230, 360 and 405, entitled "An act to repeal an act entitled 'An act to revise and amend the general laws in relation*to roads and highways, and providing for establishing, opening, repairing and vacating the same,' approved March 31, 1883, and to enact a new law in lieu thereof ;"

House bill No. 647, entitled "An act concerning railroads, and providing that each and every railroad corporation or association organized for the purpose of constructing or operating a railroad in this State, or that may hereafter be organized for such a purpose, shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States ; and that every railroad company shall have the right, with its road, to intersect, connect with or cross any other railroad ; and that each railroad shall receive and transport the passengers, tonnage and cars, loaded or empty, of any railroad intersecting, connecting with or crossing its road, without delay or discrimination ; and providing penalties for the violation thereof ; and repealing section 819, chapter 21, article 2 of the Revised Statutes of Missouri for 1879."

House bill No. 679, entitled "An act to make T. O. Tucker's abstracts of land titles in Douglas county, or certified copies of the

entries therein, evidence in all courts and places in this State," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Gideon, Harmon, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Sears, Sebree, Sheldon, Sparks, Taggart, Webster and Wood—23.

NOES—Senators Claycomb, Hazell and Saltonstall—3.

ABSENT—Senators Jacobs, McGinnis, Proctor, Ryors, Seabourn and Simrall—6.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

The title was read and agreed to.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 593, entitled "An act to amend section 982 of article 10, chapter 21 of the Revised Statutes of the State of Missouri," beg leave to report that they have carefully examined the same and recommend that it do pass.

The following House amendment No. 1 to Senate amendment to House bill No. 394, was taken up:

Amend Senate amendments to House bill 394 by striking out the words "Section one," where they occur in the first line of amendment No. 2, and further amend by striking out all of amendment No. 3.

The amendment was read third time and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Simrall, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senators Davisson, Jacobs, McGinnis, Ryors and Sheldon—5.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

Senator Harmon moved to reconsider the vote by which the amendment was concurred in, and to lay that motion on the table. The latter motion prevailed.

House bill No. 727, entitled "An act to repeal section 6729, article 2, chapter 145 of the Revised Statutes of the State of Missouri, entitled 'Of the assessment and collection of the revenue,' and to enact a new section in lieu thereof," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sparks, Taggart, Webster and Wood—22.

ABSENT—Senators Downing, Gideon, Jacobs, Kelly, Ketchum, Ryors, Sears, Seabee, Sheldon and Simrall—10.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

The emergency clause was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Hazell, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Seabee, Sheldon, Sparks, Taggart, Webster and Wood—25.

ABSENT—Senators Gideon, Harmon, Hunter, Jacobs, Kelly, Ryors and Simrall—7.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

The title was read and agreed to.

Senator Webster moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

On motion of Senator Downing, the Senate adjourned until 9:30 o'clock to-morrow morning.

FIFTY-FIFTH DAY—FRIDAY, March 18, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator McGinnis offered the following resolution, which was read and adopted :

Resolved, That the Secretary is hereby directed to ask the House to return to us House bill No. 76 for further action by this body.

Senator Hunter submitted the following reports from the Committee on Ways and Means, which were read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 623, entitled "An act to authorize funding of the debt of counties in certain cases," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 469, entitled "An act to provide for the collection of personal taxes," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 356, entitled "An act to amend an act entitled 'Inspectors of petroleum,' to amend section No. 5841," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred House bill No. 468, entitled "An act providing for back tax books in cities having three hundred thousand inhabitants or more, and prescribing the manner of making the same," beg leave to report that they have considered the same and recommend that it do pass.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 140, entitled "An act to provide for the preventing of the evils of intemperance by local option in any county in this State, and in cities of twenty-five hundred inhabitants or more, by submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of such county or city ; to provide penalties for its violation, and for other purposes," beg leave to report that they have carefully examined the same and find it truly enrolled.

Senator Simrall reported sick.

Senator Proctor submitted the following reports from the Committee on Appropriations, which were read :

MR. PRESIDENT: Your Committee on Appropriations, to whom was referred House bill No. 162, entitled "An act for the relief of Fitzhugh Collins, and to appropriate money therefor," beg leave to report that they have carefully examined same, and recommend that it do pass.

MR. PRESIDENT: Your Committee on Appropriations, to whom was referred House bill No. 707, entitled "An act to appropriate money for the support of the State government for the years 1887 and 1888," beg leave to report that they have carefully examined the same and recommend that it do pass with accompanying amendments.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 140, entitled "An act to provide for the preventing of the evils of intemperance by local option in any county in this State, and in cities of three thousand inhabitants or more, by submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of such county or city; to provide penalties for its violation, and for other purposes," and announced that unless objection be made, he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented by the Secretary to the Governor for his approval.

The following communications were received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that House bill No. 76 is herewith returned to the Senate, in compliance with Senate resolution in relation thereto of this date.

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 695, entitled "An act to amend section 819 of article 2, chapter 21, Revised Statutes of 1879, entitled "Of private corporations." "

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 718, entitled "An act to amend section 2095, article 25 of chapter 24, Revised Statutes of 1879 of the State of Missouri, said article being entitled 'Costs in criminal cases;'"

Also, substitute for House bill No. 53, entitled "An act to repeal section 2 of an act entitled 'An act to regulate sales of real estate under mortgages and deeds of trust, and the manner of giving notice thereof,' approved March 27, 1885, and to enact a new section in lieu thereof;"

Also, House bill No. 286, "An act to repeal section 3190, article 1, chapter 47 of the Revised Statutes of Missouri of 1879, entitled 'Mechanics' liens,' to enact in lieu thereof a new section relating to the same subject, to be known as section 3190, and to define the meaning of the word 'agent,' as used in said section;"

Also, House bill No. 677, entitled "An act to amend chapter 103 of

the Revised Statutes of 1879, entitled 'Of fees,' by adding a new section thereto, to be known as section 5614a."

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 336, entitled "An act to repeal section 3199 of chapter 47, article 3 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of liens of inn and boarding-house keepers,' an to enact a new section in lieu thereof;"

Also, has taken up and passed Senate bill No. 268, entitled "An act relating to stenographers for certain courts, and regulating the fees for their service;"

Also, has taken up and passed Senate bill No. 90, entitled "An act to provide for the refunding and payment of the State debt and repeal chapter 153 and sections 7551, 7552, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633, 7634 and 7635 of article 1 of chapter 164 of the Revised Statutes of Missouri."

The emergency clause was read and adopted.

Also, has taken up Senate bill No. 293, entitled "An act to prevent extortion, unjust discrimination and pooling by railroad corporations; to increase the powers and enlarge the duties of the Railroad Commissioners, and to repeal sections 833, 834 and 842 of the Revised Statutes of 1879, and other acts inconsistent with the provisions of this act," which has been amended by way of substitute; substitute amended and passed by the House as amended.

Title to substitute amended as follows: "An act to regulate the transportation of freights by railway, by establishing a system of classification and fixing maximum rates for freight; to prevent extortion, discrimination and pooling by railroad corporations; to provide for the appointing of Railroad Commissioners, and to increase their powers and enlarged their duties; to define the duties of the commissioners, railway companies, officers, agents and employes, and providing penalties for violation thereof, and to repeal sections 831, 833, 834, 837 and 842 of article 3, chapter 21 of the Revised Statutes of Missouri, and all other acts inconsistent with the provisions of this act," which was read and agreed to.

In which the concurrence of the Senate is respectfully requested.

House bill No. 76, entitled "An act to restrict the legislative authority of incorporated towns and cities in regard to granting franchises for using the streets and alleys of incorporated towns and cities of this State for elevated, underground and other street railway purposes," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Sebree, Sheldon, Simrall, Taggart, Webster and Wood—26.

NOES—Senators Hazell and Sparks—2.

ABSENT—Senators Davisson, Harmon, Seabourn and Sears—4.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

The title was read and agreed to.

Senator Castleman moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Castleman submitted the following report from the Committee on Insurance, which was read :

MR. PRESIDENT: Your Committee on Insurance, to whom was referred House bill No. 151, entitled "An act to amend section 974 of chapter 21, article 10 of the Revised Statutes of Missouri, entitled 'Of benevolent, religious, scientific, educational and miscellaneous associations, as amended by an act approved February 8, 1881,' " beg leave to report that they have carefully examined same and recommend that it do not pass.

On motion of Senator Downing, the Senate resolved itself into Committee of the Whole for the consideration of the general appropriation bill, House bill No. 707, by the following vote :

AYES—Senators Allen, Ball, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Saltonstall, Sebree and Webster—17.

NOES—Senators Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Mackey, Parcher, Sparks, Taggart and Wood—10.

ABSENT—Senators Davisson, Seabourn, Sears, Sheldon and Simrall—5.

ABSENT WITH LEAVE—Senators Moran and Smith—2.

Senator Castleman in the chair.

The committee arose and Senator Castleman submitted the following report, which was read :

MR. PRESIDENT: Your Committee of the Whole, to whom was referred House bill No. 707, have partially considered the same, and beg leave to report progress and ask to sit again at 2 o'clock p. m.

On motion of Senator Downing, the Senate adjourned until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

The following communications were received from the House of Representatives, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 104, entitled "An act relating to the shipment of live stock, grain and other articles of trade ;"

Also, Senate bill No. 206, entitled "An act to pay to the county of McDonald school moneys improperly withheld from it for the year 1875."

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed the House, Senate bill No. 335, entitled "An act amending and in revision of all acts creating a board of police commissioners, and authorizing the appointment of a permanent police force of the City of Kansas, approved March 27, 1874, and subsequent amendments thereto, approved February 8, 1875, March 22, 1881, and March 24, 1881," with an emergency clause, which was agreed to;

Also, Senate bill No. 162, entitled "An act to repeal section 5018, article 6, chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact four new sections in lieu thereof, to be known and designated as sections 5018, 5018*a*, 5018*b* and 5018*c*," with an emergency clause, which was agreed to ;

Also, Senate bill No. 53, entitled "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue.'"

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 457, entitled "An act to amend section 1158 of article 4, chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' as amended by an act approved March 24, 1883;"

Also, House bill No. 194, entitled "An act to repeal an act entitled 'An act to repeal section 7023, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to insert a new section in lieu thereof, approved March 29, 1883, and to enact a new section in lieu thereof, to be numbered 7023 ;"

Also, House bill No. 327, entitled "An act to establish the responsibility of railroad corporations, companies and persons owning or operating railroads, for damages by fires communicated by locomotive engines ;"

Also, House bill No. 177, entitled "An act to provide for the funding of county and township bonds ;"

Also, House bill No. 278, entitled "An act to prohibit the keeping of

any house, room or place to be used for the purpose of smoking opium or any other deadly drug, and providing a penalty therefor ;”

Also, House bill No. 85, entitled “An act to prevent the use of any substitute for hops or pure extract of hops in the manufacture of ale or beer, and to preserve the public health ;”

Also, House bill No. 105, entitled “An act to amend sections 1 and 2 of an act entitled ‘An act to regulate the weighing of coal at mines, and to establish a just and uniform system of weights between employers and employes, approved March 18, 1885 ;”

Also, House bill No. 19, entitled “An act to amend section 5652, chapter 104 of the Revised Statutes of the State of Missouri, entitled ‘Of fences and inclosures,’ as amended by act approved March 27, 1885 ;”

Also, House bill No. 26, entitled “An act limiting the time for the institution of suits for dower in real estate ;”

Also, House bill No. 657, entitled “An act to amend section 6782 of the Revised Statutes of 1879, relating to settlement of collectors ;”

Also, House bill No. 501, entitled “An act to prevent gambling under the guise of trading in stocks, bonds, petroleum, cotton, grain, provisions, or other commodities, and defining bucket shops ;”

Also, House bill No. 29, entitled “An act to repeal an act entitled ‘An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of same,’ approved March 23, 1881 ; also, an act entitled ‘An act to amend section one (1) of the acts of 1881, entitled ‘An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of the same,’” approved March 20, 1885 ; also, to enact ‘An act to provide for the health and safety of persons employed in mines, and providing for the inspection of same ;”

Also, House bill No. 328, entitled “An act providing for the organization of levee districts by the owners in any contiguous body of land situate in one or more counties in this State, and bordering on, situate near or subject to overflow by the rivers of this State, to prevent and to protect such lands from such overflows ;”

Also, House bill No. 126, entitled “An act to repeal an act entitled ‘An act confirming certain powers to the citizens of St. Louis county, approved March 4, 1857 ;”

Also, House bill No. 166, entitled “An act to repeal section 2305 of the Revised Statutes of Missouri, 1879, and to enact a section in the place thereof, to be numbered 2305 ;”

Also, House bill No. 345, entitled “An act to repeal section 926, chapter 21, article 8 of the Revised Statutes of the State of Missouri, and to enact a new section in lieu thereof ;”

Also, House bill No. 596, entitled "An act to amend section 4 of the acts of 1883, approved March 24, 1883, entitled 'An act to repeal sections 1115 and 1128 of article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' and to repeal an act entitled 'An act to amend section 1145, article 3 of chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' approved March 18, 1881, and to repeal an act entitled 'An act to amend section 1157, chapter 23, article 4 of the Revised Statutes of the State of Missouri, in relation to courts of record, approved March 26, 1881, and to repeal section 1 of an act entitled 'An act to amend sections 1127, 1135 and 1165 of the Revised Statutes, concerning circuit courts, and attaching the county of Taney to the twenty-first judicial circuit,' approved March 24, 1881, and to enact new sections in lieu of the sections and acts hereby repealed, and to amend an act entitled 'An act to amend section 1158, article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' approved March 11, 1881,"

Also, House bill No. 269, entitled "An act to amend section 7153, chapter 150, article 2 of the Revised Statutes of the State of Missouri, concerning city, town and village schools;"

Also, House bill No. 84, entitled "An act to provide for locating and erecting a State reform school for boys;"

Also, House bill No. 385, entitled "An act to provide for the incorporation and regulation of associations, societies or companies doing a life and casualty insurance business on the assessment plan," and announced on the reading of each bill that unless objection be made, he would sign the same to the end that it become a law. The bills were read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, immediately at the completion of the reading, affixed his signature thereto.

The following communications were received from the Governor, which were read :

CITY OF JEFFERSON, March 18, 1887.

SIR: I have the honor to return to the Senate, with my approval endorsed thereon, bill No. 59, of the following title: "An act providing for the appointment of a county counselor in counties now containing, or that hereafter may contain, seventy-five thousand inhabitants or more, prescribing their qualifications and duties, and providing for their compensation;"

Also, bill No. 88, of the following title: "An act to appropriate money for the purpose of erecting additions and making other necessary improvements to Lunatic Asylum Number Three (3), located at Nevada, Missouri;"

Also, bill No. 214, of the following title: "An act authorizing street railroad companies to change the motive power on their roads."

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

CITY OF JEFFERSON, March 18, 1887.

SIR: I have the honor to return to the Senate, without my approval, bill No. 89, of the following title: "An act to amend section 7095, article 1, chapter 150, Revised Statutes of 1879, entitled 'Of schools.'"

I am led to this action by the following considerations: It is a well settled and universally recognized fact that no legislature can control the acts of a subsequent legislature. "No moneys shall ever be paid out of the treasury of this State, or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made, or a warrant shall have issued therefor within two years after the passage of such appropriation act; and every such law making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated, and the object to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such sum or object. A regular statement and account of the receipts and expenditures of all public money shall be published from time to time." (Section 19, article 10, Constitution of Missouri. Whence it appears that even did this bill make an appropriation of $33\frac{1}{3}$ per cent. of the State revenue to the support of the public schools, it could be operative for only two years. But this bill does not make such appropriation, and does not and cannot in any manner affect the amount of money which this or subsequent legislatures may appropriate for such purpose.

The Statute sought to be amended, as it now is, completes a mandate of the Constitution (from which it is an almost literal copy) and is not open to objection.

I take it to always be objectionable to make a change in our Statutes, unless they are improved as well as changed.

Believing this bill to be subject to such objection, I withhold my approval.

However, as the enactment of this amendment would be an expression of the opinion that the present and succeeding General Assemblies should appropriate one-third instead of one-fourth of the revenue of the State for the support of public schools, I deem it proper to offer a few suggestions upon that point. I have nothing to say now about what future legislatures should do in this regard. I presume they will be better prepared to pass upon that subject with the facts before them as they will then obtain.

In view of the present estimates of receipts and expenditures for the next two years, I think if the present General Assembly make such appropriation, it is very likely the treasury would not be always in a condition to meet the lawful demands upon it. The bad effect of such a contingency needs no discussion. The risk of such a misfortune ought not to be incurred unless necessary and unavoidable. Such risk is altogether unnecessary in this instance. The State apportionment is a small portion of the cost of our public schools. They depend almost entirely for their support upon the communities in which they are located, and I am very sure that reliance is safe and certain. Our people everywhere believe—and no one more heartily than I—in providing by public taxation the opportunity for all the children of our commonwealth to receive good training in the elementary branches of an education. The people love our public schools. They are able and willing to care for and support them. They are in every respect worthy the great trust thus committed to them, and with them I am willing to leave it.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

Senator Harmon moved that when the Senate adjourn it adjourn to meet at 7:30 o'clock this evening. The motion was agreed to.

The following communications were received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed the House, Senate bill No. 95, entitled "An act appropriating money to properly equip the State Agricultural College and Farm of Missouri," with amendments.

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed Senate bill No. 302, entitled "An act authorizing county collectors to pay into the county treasury, pending litigation, money in their hands claimed by both the State and county or municipal townships," with an emergency clause, which was not agreed to;

Also, bill No. 200, "An act to amend section 929 of article 8 of the Revised Statutes of Missouri of 1879, entitled 'Manufacturing and business companies;'"

Also, bill No. 325, "An act to authorize the county court of Wright county to relieve James A. Tate, treasurer of said county, from the payment of money stolen and belonging to said county;"

Also, bill No. 168, "An act to place the streets and alleys in unincorporated towns and villages under the control of the county courts and road overseers."

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed the House, Senate bill No. 138, entitled "An act to amend section 1550 of article 8 of chapter 24 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure;'"

Also, Senate bill No. 186, "An act to amend section 5148 of chapter 93 of the Revised Statutes of Missouri, entitled 'Of coroners and inquests,' by striking out certain words therefrom;"

Also, Senate bill No. 144, "An act entitled an act to repeal 'An act to incorporate the town of Dallas, in Bollinger county, Missouri;'"

Also, Senate bill No. 259, entitled "An act to amend sections 1 and 2 to repeal section 7 of an act to provide for the ascertainment of and payment for damages done by municipal corporations to private property for public use, as directed by section 21 of article 2 of the State Constitution, entitled 'Cities, towns and villages—damages to private property for public use.'"

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed the House, Senate bill No. 351, entitled "An act to authorize the judge of probate of New Madrid county, Missouri, to appoint a clerk of said court and prescribe his duties and compensation," with emergency clause, which was not adopted.

On motion of Senator Downing, the Senate resolved itself into Committee of the Whole for the consideration of House bill No. 707, Senator Castleman in the chair. The Committee arose.

Senator Castleman, chairman of Committee of the Whole, reported progress and asked leave to sit again.

The rules were suspended and House bill No. 469, entitled "An act to provide for the collection of personal taxes," was read third time and passed the following vote:

AYES—Senators Allen, Ball, Castleman, Downing, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Ryors, Seabourn, Sears, Sheldon, Sparks, Taggart, Webster and Wood—24.

NOES—Senators Claycomb, Gideon, Hazell and Sebree—4.

ABSENT—Senators Davisson, Harmon, Proctor and Saltonstall—4.

ABSENT WITH LEAVE—Senators Simrall and Smith—2.

The title was read and agreed to.

Senator Hunter moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator McGinnis offered the following resolution, which was read and adopted:

Resolved, That the Senate will hold a night session to-night, commencing 7:30 o'clock, for the reading of enrolled bills for signature by the President.

Senator Parcher submitted the following report from the Committee on Township Organization, Representative Apportionment and County Boundaries, which was read:

MR. PRESIDENT: Your Committee on Township Organization, Representative Apportionment and County Boundaries, to whom was referred House bill No. 446, entitled "An act to repeal an act to amend section 1 of an act approved March 24, 1881, entitled 'An act entitled an act relating to the duties of county clerks and other officers in counties under township organization,' approved March 27, 1883, 'Of township organization,'" beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Harmon called up House amendments to Senate bill No. 293.

Senator McGinnis rose to a point of order, the point being that the so-called amendment was not an amendment, but a new bill, and must take the course of a bill.

The chair held that the point of order was not well taken, from which decision of the chair, Senator McGinnis appealed.

On motion of Senator Downing, the Senate adjourned by the following vote:

AYES—Senators Ball, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Kelley, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Seabourn, Sheldon and Webster—18.

NOES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Parcher, Saltonstall, Sears, Sebree, Sparks, Taggart and Wood—13.

ABSENT—Senator Davisson.

ABSENT WITH LEAVE—Senators Simrall and Smith—2.

NIGHT SESSION.

The President called the Senate to order.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 268, entitled "An act relating to stenographers for certain courts and regulating the fees for their services;"

Also, Senate bill No. 336, entitled "An act to repeal section 3199 of chapter 47, article 3 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of liens of inn and boarding house keepers,' and to

enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and find them truly enrolled.

The following communication was received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed the House, Senate bill No. 305, entitled "An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees ;"

Also, Senate bill No. 311, entitled "An act to provide for the election or appointment of sheriff in any county whenever any vacancy may occur nine months prior to the holding of a general election," with emergency clause, which was not agreed to ;

Also, Senate bill No. 201, entitled "An act to amend chapter 18, Revised Statutes, 1879, of Missouri, entitled 'Of constables,' by adding a new section thereto, to be known as section 650a ;"

Also, Senate bill No. 341, entitled "An act in relation to term of probate court in more than one place in certain counties, and as to appointment of clerks for the probate court in any county where terms of the probate court may be held in more than one place in such county ;"

Also, Senate bill No. 358, entitled "An act to authorize cities and towns heretofore incorporated under special charters, to license, tax and regulate billiard, pool, shuffle board, pigeon hole and other tables ;"

Also, Senate bill No. 185, entitled "An act to ascertain the population of any county in this State, and to adjust the salaries of certain officers," with amendment ;

Also, Senate bill No. 226, entitled "An act to amend section 1851, article 17 of chapter 24 of the Revised Statutes of Missouri, entitled "Proceedings before trial," with an emergency clause, which was not agreed to ;

Also, Senate bill No. 203, entitled "An act to repeal section 1 of the session acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record, approved April 2, 1883, and to enact a new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit."

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 268, entitled "An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of one hundred and fifty thousand inhabitants or more, and providing for their compensation ;

Also, Senate bill No. 336, entitled, "An act to repeal section 3199 of chapter 47, article 3 of the Revised Statutes of the State of Mis-

souri of 1879, entitled 'Of liens of inn and boarding house keepers,' and to enact a new section in lieu thereof ;"

Also, Senate bill No. 104, entitled "An act relating to the shipment of live stock, grain and other articles of trade; "

Also, Senate bill No. 53, entitled "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue; "

Also, Senate bill No. 206, entitled "An act to pay to the county of McDonald school moneys improperly withheld from it for the year 1875," and announced that unless objection be made he would sign the same to the end that it become a law. Each bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bills were then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Sears submitted the following reports from the Committee on Enrolled Bills, which were read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 104, entitled "An act to repeal an act entitled "An act relating to the shipment of live stock, grain and other articles,' approved March 12, 1881; also, an act entitled 'An act to amend section 2 of an act entitled 'An act relating to the shipment of live stock, grain and other articles of trade,' approved March 22, 1883; also, an act entitled 'An act to repeal section 3 of an act relating to the shipment of live stock, grain and other articles of trade,' approved March 12, 1881, approved March 31, 1885, and to enact an act in lieu of said acts," beg leave to report that they have carefully examined the same and find it truly enrolled.

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 53, entitled "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue," beg leave to report that they have carefully examined the same and find it truly enrolled.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 484, entitled "An act to amend an act entitled an act to amend section 2952, article 6, chapter 44, Revised Statutes of Missouri, 1879, entitled 'Of justices courts,' approved March 24, 1885 ;"

Also, House bill No. 530, entitled "An act to amend an act entitled 'An act to amend section 1154 of article 4, chapter 23 of the Revised Statutes of 1879, entitled 'Courts of record,' changing the time of hold-

ing courts in Pemiscot and Mississippi counties,' approved February 26, 1885;”

Also, House bill No. 679, entitled “An act to make T. O. Tucker’s abstracts of land titles in Douglas county, or certified copies of the entries therein, evidence in all courts and places in this State;”

Also, House bill No. 410, entitled “An act to amend an act entitled ‘An act to provide for the re-recording of conveyances in case of destruction of the record thereof,’ approved March 18, 1885;”

Also, House bill No. 727, entitled “An act to repeal section 6729, article 2, chapter 145 of the Revised Statutes of the State of Missouri, entitled ‘Of the assessment and collection of the revenue,’ and to enact a new section in lieu thereof;”

Also, House bill No. 500, entitled “An act to repeal section 2 of an act entitled ‘An act to organize municipal townships in all counties that have not adopted township organization, into bodies corporate for road purposes only, and to create a board of township road commissioners therein, with defined powers and duties, approved March 31, 1883, and to enact a new section in lieu thereof;”

Also, House bill No. 179, entitled “An act for the relief of Francis Bracklein,” and announced that upon the reading of each bill he would sign the same to the end that it become a law, unless objection be made. Each bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

On motion of Senator Downing, the Senate adjourned until 9:30 o’clock to-morrow morning.

FIFTY-SIXTH DAY—SATURDAY, March 19, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Davisson reported sick.

Senator Johnson of Montgomery submitted the following resolution, which was read and adopted:

Resolved, That the Committee on Accounts audit the account of the Tribune Printing Company for fifty (50) copies of the Daily Tribune, containing the official proceedings of the Senate, at five cents per copy, which includes the publication of the daily calendar.

Senator Johnson of Montgomery submitted the following report from the Committee on Agriculture, Roads and Highways, which was read:

MR. PRESIDENT: Your Committee on Agriculture, Roads and Highways, to whom was referred substitute for House bills Nos. 16, 230, 360 and 405, entitled "An act to repeal an act entitled an act to revise and amend the general laws in relation to roads and highways, and providing for establishing, opening, repairing and vacating the same, approved March 31, 1883, and to enact a new law in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Smith submitted the following reports from the Committee on Penitentiary, which were read:

MR. PRESIDENT: Your Committee on Penitentiary and other Public Buildings at the Seat of Government, to whom was referred Senate bill No. 54, entitled "An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senate bill No. 54 was indefinitely postponed.

MR. PRESIDENT: Your Committee on Penitentiary and other Public Buildings at the Seat of Government, to whom was referred Senate bill No. 195, entitled "An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor," beg leave to report that they have carefully examined same and recommend that it do not pass.

Senate bill No. 195 was indefinitely postponed.

Senator Wood submitted the following reports from the Committee on University, Public and Normal School Education, which were read:

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 308, entitled "An act to appropriate money for the purpose of erecting additional Normal school buildings, and to redistrict the State, thereby increasing the number of Normal school districts, to reorganize the Nor-

mal schools, and to make each district self-sustaining, and to repeal all acts or parts of acts inconsistent with this act," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senate bill No. 308 was indefinitely postponed.

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill No. 294, entitled "An act to reorganize Lincoln Institute, making it a separate institution of the State, and to enact laws for its government, and to repeal all acts and parts of acts inconsistent with this act, so far as the same relates to Lincoln Institute," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senate bill No. 294 was indefinitely postponed.

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred substitute for House bill No. 419, entitled "An act fixing the number of directors in public school boards in certain cities, and providing for election of such directors, and for districting said cities therefor," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Harmon submitted the following report from the Committee on Railroads and Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred House bill No. 461, beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 21, entitled "An act to provide for placing electrical conductors under ground in cities of this State of the first class," beg leave to report that they have carefully examined the same and recommend that it do not pass.

The following House bills were read second time and referred to committees, as follows:

House bill No. 367, entitled "An act to repeal section 832, article 3 of chapter 21 of the Revised Statutes of Missouri of 1879, and enact a new section in lieu thereof, to be known as section 832a," to Committee on Railroads and Internal Improvements;

House bill No. 647, entitled "An act concerning railroads, and providing that each and every railroad corporation or association organ-

ized for the purpose of constructing or operating a railroad in this State, or that may hereafter be organized for such a purpose, shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States; and that every railroad company shall have the right, with its road, to intersect, connect with or cross any other railroad; and that each railroad shall receive and transport the passengers, tonnage and cars, loaded or empty, of any railroad intersecting, connecting with or crossing its road, without delay or discrimination; and providing penalties for the violation thereof; and repealing section 819, chapter 21 article 2 of the Revised Statutes of Missouri for 1879," to Committee on Railroads and Internal Improvements;

House bill No. 734, entitled "An act to prevent and punish the wrongful seizure and detention of persons," to Committee on Criminal Jurisprudence;

Substitute for House bills Nos. 16, 230, 360 and 405, entitled "An act to repeal an act entitled 'An act to revise and amend the general laws in relation to roads and highways, and providing for establishing, opening, repairing and vacating the same,' approved March 31, 1883, and to enact a new law in lieu thereof," to Committee on Agriculture, Roads and Highways;

The appeal from the decision of the Chair on yesterday was taken up.

The Chair was sustained by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Seabee, Smith, Sparks, Taggart and Wood—21.

NOES—Senators Downing, Gideon, Johnson of Madison, Kelly, Kerwin, Ketchum, Mackey, Ryors, Sheldon and Webster—10.

ABSENT—Senator Simrall.

ABSENT WITH LEAVE—Senator Davisson.

Senator McGinnis was excused from voting by the Senate.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed Senate bill No. 84, entitled "An act to furnish the county of Butler the Supreme Court and the courts of appeal reports from volume 16; also, the Revised Statutes of 1879, and session laws of 1881, 1883 and 1885," and with an emergency clause, which was rejected;

Also, Senate bill No. 338, entitled "An act to amend section 7037

of article 1, chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of schools;'"

Also, Senate bill No. 313, entitled "An act enabling the State to light its public buildings and grounds, located at the city of Jefferson, with electric lights," with amendment.

Consideration of substitutes or amendments to Senate bill No. 293, resumed.

Senator McGinnis sent up the following point of order in writing, which was read :

MR. PRESIDENT: I make the point of order that under section 30, of article 4 of the Constitution, that the pending question is this: "Shall the amendment be printed for the use of the Senate under the supervision of our Committee on Engrossment and Printing?"

The chair decided that the point of order was not well taken.

Senator McGinnis appealed from the decision of the chair.

The Chair was sustained by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Mackey, Moran, Parcher, Proctor, Saltonstall, Sears, Sheldon, Sparks, Taggart and Wood—16.

NOES—Senators Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Ryors, Seabourn, Smith and Webster—14.

ABSENT—Senators Ball, Davisson, Sebree and Simrall—4.

Senator Allen moved that the Senate refuse to concur in House amendments to Senate bill No. 293.

Senator Ball offered a substitute for House amendments to Senate bill No. 293.

Senator Harmon moved the previous question, which was not agreed to by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Moran, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Sparks, Taggart and Wood—15.

NOES—Senators Ball, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Ryors, Smith and Webster—17.

ABSENT—Senators Davisson and Simrall—2.

Senator Proctor moved to amend the motion of Senator Allen to refuse to concur in House amendment to Senate bill No. 293, as follows:

Amend by the following: "That House amendment to Senate bill No. 293, be indefinitely postponed."

Senator McGinnis made the following point of order, which was read :

I make the point of order, that the motion to indefinitely postpone is out of order, and that the only questions in order are either to amend the amendment or to refuse to concur in the amendment.

The point of order was sustained by the Chair.

The following communication was received from the House of Representatives through its Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed the House, Senate bill No. 275, entitled "An act to amend article II. of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, to be designated as section 7154a," with an emergency clause, which was rejected ;

Also, Senate bill No. 221, entitled "An act to amend section one thousand and seventy-seven (1077), article two (2), chapter twenty-three (23) of the Revised Statutes of 1879, relating to the Supreme Court ;"

Also, Senate bill No. 141, entitled "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees,' " with amendment ;

Also, Senate bill No. 145, entitled "An act to amend section 1 of an act entitled 'An act to amend section 6879, and to repeal section 6880 and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads ;' also, enact a new section, numbered 6886a ; also an emergency clause, approved March 17, 1885 ;"

Also, Senate bill No. 219, entitled "An act to amend section 6986, Revised Statutes of Missouri, 1879 ;"

Also, Senate bill No. 284, entitled "An act concerning mutual savings societies ;"

Also, substitute for Senate bill No. 173, entitled "An act to amend section twenty-eight hundred and three, article one, chapter forty-four of the Revised Statutes of the State of Missouri of 1879, so as to entitle cities of over one hundred thousand inhabitants or more, two justices of the peace in addition to the number allowed by law to the township in which such city may be," with amendments and an emergency clause, which was agreed to.

Senator Downing moved that the Senate now go into Committee of the Whole for the consideration of the general appropriation bill, No. 707.

The motion was agreed to by the following vote:

AYES—Senators Downing, Gideon, Hunter, Jacobs, Johnson of

Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Seabourn, Sheldon, Smith and Webster—16.

NOES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Mackey, Moran, Parcher, Saltonstall, Sears, Sebree, Sparks, Taggart and Wood—15.

ABSENT—Senators Ball, Davisson and Simrall—3.

The Senate resolved itself into Committee of the Whole.

Senator Castleman in the chair.

The committee arose, and Senator Castleman submitted the following report:

MR. PRESIDENT: The Committee of the Whole, to whom was referred House bill No. 707, instruct me to report progress and ask leave to sit again.

Senator Sears offered the following resolution, which was read and adopted:

Resolved, That the Enrolling Clerk of the Senate be given the authority to employ two additional assistants.

On motion of Senator Parcher, the Senate adjourned until 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Downing moved that the Senate resolve itself into Committee of the Whole.

The motion was agreed to by the following vote:

AYES—Senators Ball, Davisson, Downing, Gideon, Hunter, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Ryors, Seabourn, Sears, Sheldon, Smith and Webster—19.

NOES—Senators Allen, Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Moran, Saltonstall, Sebree, Sparks and Taggart—11.

ABSENT—Senators Jacobs, Parcher, Simrall and Wood—4.

Regular session resumed.

The President in the chair.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed Senate bill No. 209, entitled "An act to prohibit railroad companies, corporations or individuals owning, operating or managing any railroad in the State of Missouri, from consolidating the stock, property or franchises of such company, corporation or individual, or from leasing, purchasing or in any other manner ac-

quiring an interest in the works or franchises of, or in any way whatever to any degree exercising control over any railroad company, corporation or individual owning, operating, or having under his or their control or management, a parallel or competing line in this State, and to prescribe penalties therefor, and the means of enforcing the provisions of this act, and to repeal all acts or parts of acts in conflict or inconsistent herewith," with emergency clause, which was agreed to;

Also, Senate bill No. 343, entitled "An act concerning mutual savings fund, loan and building associations ;"

Also, Senate bill No. 258, entitled "An act to amend section one of an act entitled 'An act to amend section thirteen of an act entitled 'An act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof,' approved February 2, 1871, changing the time of holding court, and providing for changes of venue in said county, approved February 8, 1872," with amendment.

Also, Senate bill No. 223, entitled "An act relating to cities of the second class," with amendments, with emergency clause, which was agreed to ;

Also, Senate bill No. 265, entitled "An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of one hundred and fifty thousand inhabitants or more, and providing for their compensation," with emergency clause, which was agreed to.

Also, Senate bill No. 215, "An act to provide for service of process in proceedings to contest corporate elections."

The following message was received from the Governor, through his secretary, Mr. Yantis, which was read :

CITY OF JEFFERSON, March 19, 1887.

SIR: I have the honor to return to the Senate, with my approval endorsed thereon, bill No. 17, of the following title: "An act to amend sections 6569 and 6570 of chapter 139 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of plats ;'"

Also, bill No. 36, of the following title: "An act to amend article 9 of chapter 145 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Taxation of bridges and telegraph and express franchises,' by adding thereto a new section, to be known as section 6904a ;"

Also, bill No. 45, of the following title: "An act to establish branch county clerk's office in counties now containing or that may hereafter contain seventy-five thousand inhabitants or more, and where county courts are now or may hereafter be held at more places than one at places other than the county seat ;"

Also, bill No. 46, of the following title: "An act to amend article 19 of chapter 24 of the Revised Statutes of the State of Missouri, entitled 'Of crimes and criminal procedure,' by adding thereto three new sections, to be known as sections 1956*a*, 1956*b* and 1956*c*;"

Also, bill No. 61, of the following title: "An act to repeal an act entitled 'An act to amend section 1147 of article 4 of the Revised Statutes of Missouri, in reference to judicial circuits,' approved March 28, 1885, and to enact a new section in lieu thereof;"

Also, bill No. 76, of the following title: "An act to amend section 2 of article 1 of chapter 1 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of the administration of the estates of deceased persons ;'"

Also, bill No. 82, of the following title: "An act to amend section 2513, chapter 35 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of frauds and perjuries ;'"

Also, bill No. 83, of the following title: "An act to repeal certain parts of an act entitled 'An act to amend section 1159 of article 4, chapter 23 of the Revised Statutes of Missouri of 1879, relating to courts of record,' approved January 31, 1885 ;"

Also, bill No. 94, of the following title: "An act to establish an academic department in connection with Lincoln Institute for the higher education of the negro race ;"

Also, bill No. 133, of the following title: "An act conferring certain powers upon cities whose population entitles them to be ranked as cities of the first and second classes, in relation to the inspection of live stock."

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*:

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed Senate bill No. 146, entitled "An act repealing an act entitled 'An act providing for a State Veterinary Surgeon, defining his duties and fixing his compensation,' session acts of 1885, and enacting a new act in lieu thereof, entitled 'An act providing for the appointment of a State Veterinary Surgeon, defining his duties and fixing his compensation,'" with emergency clause, which was not agreed to ;

Also, Senate bill No. 81, entitled "An act to regulate appeals to the circuit court from township boards and courts inferior to the circuit court in counties having fifty thousand inhabitants or less," with an amended title ;

Also, Senate bill No. 247, entitled "An act entitled an act to

amend section 5032 of the Revised Statutes of Missouri, entitled 'Of villages,' " with emergency clause, which was not adopted ;

Also, Senate bill No. 3, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2,' and to appropriate money therefor."

The Senate resolved itself into Committee of the Whole for the consideration of House bill No. 707.

Senator Castleman in the chair.

The committee arose and regular session resumed.

Senator Castleman submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: The Committee of the Whole, who have had under consideration House bill No. 707, beg leave to report that they have duly considered the same and recommend that it do pass with amendments.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: The Committee on Enrolled Bills, to whom was referred for enrollment Senate bill No. 168, entitled "An act to place the streets and alleys in unincorporated towns and villages under the control of the county courts and road overseers ;"

Also, Senate bill No. 302, entitled "An act authorizing county collectors to pay into the county treasury, pending litigation, money in their hands claimed by both the State and county or municipal townships ;"

Also, Senate bill No. 325, entitled "An act to authorize the county court of Wright county to relieve James A. Tate, treasurer of said county, from the payment of money stolen and belonging to said county ;"

Also, Senate bill No. 203, entitled "An act to repeal section 1 of the session acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record, approved April 2, 1883, and to enact a new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit ;"

Also, Senate bill No. 162, entitled "An act to repeal section 5018, article 6, chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' and enact four new sections in lieu thereof, to be known and designated as sections 5018, 5018a, 5018b, and 5018c ;"

Also, Senate bill No. 144, entitled "An act entitled 'An act to repeal an act to incorporate the town of Dallas, in Bollinger county, Missouri ;"

Also, Senate bill No. 138, entitled "An act to amend section fifteen hundred and fifty of article eight of chapter twenty-four of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure;'"

Also, Senate bill No. 186, entitled "An act to amend section 5148 of chapter 93 of the Revised Statutes of Missouri, entitled 'Of coroners and inquests,' by striking out certain words therefrom; "

Also, Senate bill No. 226, entitled "An act to amend section 1851, article 17 of chapter 24 of the Revised Statutes of Missouri, entitled 'Proceedings before trial;'"

Also, Senate bill No. 358, entitled "An act to authorize cities and towns heretofore incorporated under special charters to license, tax and regulate billiard, pool, shuffle-board, bagatelle, pigeon hole and other tables; "

Also, Senate bill No. 201, entitled "An act to amend chapter 18, Revised Statutes, 1879, of Missouri, entitled 'Of constables,' by adding a new section thereto, to be known as section 650a; "

Also, Senate bill No. 305, entitled "An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees; "

Also, Senate bill No. 311, entitled "An act to provide for the election or appointment of sheriffs in any county whenever any vacancy may occur nine months prior to the holding of a general election; "

Also, Senate bill No. 90, entitled "An act to provide for the refunding and payment of the State debt, and to repeal chapter 153 and sections 7551, 7552, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633, 7634 and 7635 of article 1 of chapter 164 of the Revised Statutes of Missouri; "

Also, Senate bill No. 259, entitled "An act to amend sections one and two, and to repeal section seven of an act to provide for the ascertainment of and payment for damages done by municipal corporations to private property for public use, as directed by section 21 of article 2 of the State Constitution, entitled 'Cities, towns and villages—damages to private property for public use;'"

Also, Senate bill No. 351, entitled "An act to authorize the judge of probate of New Madrid county, Missouri, to appoint a clerk of said court and prescribe his duties and compensation; "

Also, Senate bill No. 200, entitled "An act to amend section 929 of article 8 of the Revised Statutes of Missouri of 1879, entitled 'Manufacturing and business companies,'" beg leave to report that they have carefully examined the same and find them truly enrolled.

Senator Ball offered the following resolution, which was adopted :

Resolved, That the Secretary of the Senate be instructed to have printed 100 copies of the memorial resolutions on the death of Hon. Albert H. Edwards, together with the memorial addresses delivered by Senators H. W. Johnson, Wesley A. Jacobs, Andrew Mackey, Lyman Parcher and James C. McGinnis, and that the same be paid for out of the contingent fund of the Senate.

On motion of Senator McGinnis, the Senate adjourned until 7:30 o'clock.

NIGHT SESSION.

The President called the Senate to order.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 138, entitled "An act to amend section fifteen hundred and fifty of article eight of chapter twenty-four of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure ;'"

Also, Senate bill No. 144, entitled "An act entitled an act to repeal 'An act to incorporate the town of Dallas, in Bollinger county, Missouri ;'"

Also, Senate bill No. 162, entitled "An act to repeal section 5018, article 6, chapter 89 of the Revised Statutes of the State of Missouri, of 1879, entitled 'Of cities, towns and villages,' and to enact four new sections in lieu thereof, to be known and designated as sections 5018, 5018*a*, 5018*b* and 5018*c* ;'"

Also, Senate bill No. 386, entitled "An act to amend section 5148 of chapter 93 of the Revised Statutes of Missouri, entitled 'Of coroners and inquests,' by striking out certain words therefrom ;"

Also, Senate bill No. 358, entitled "An act to authorize cities and towns heretofore incorporated under special charters to license, tax and regulate billiard, pool, shuffle-board, bagatelle, pigeon hole and other tables ;"

Also, Senate bill No. 201, entitled "An act to amend chapter 18, Revised Statutes, 1879, of Missouri, entitled 'Of constables,' by adding a new section thereto, to be known as section 650*a* ;"

Also, Senate bill No. 305, entitled "An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees ;"

Also, Senate bill No. 311, entitled "An act to provide for the election or appointment of sheriff in any county whenever any vacancy may occur nine months prior to the holding of a general election ;"

Also, Senate bill No. 226, entitled "An act to amend section 1851, article 17 of chapter 24 of the Revised Statutes of Missouri, entitled 'Proceedings before trial,'" and announced that unless objection be

made, he would sign the same to the end that it become a law. Each bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, at the completion of the reading of each bill, affixed his signature thereto. The bills were then taken to the House of Representatives, read at length and signed by the Speaker and immediately presented to the Governor by the Secretary for his approval.

The following amendments, submitted by the Committee of the Whole, to House bill No. 707, were taken up :

No. 1. Amend section 1 of printed bill by striking out all after the word "the," in the 24th line of said section, and inserting in lieu thereof the following: "funding of State debt, including postage delivery."

The amendment was not agreed to by the following vote :

AYES—Senators Allen, Claycomb, Gideon, Hunter, Johnson of Madison, McGinnis, Mansfield, Moran, Ryors, Seabourn, Sears, Sheldon and Webster—13.

NOES—Senators Ball, Castleman, Davisson, Downing, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Proctor, Saltonstall, Sebree, Smith, Sparks, Taggart and Wood—19.

ABSENT—Senators Parcher and Simrall—2.

No. 2. Amend section 2 of printed bill by striking out of lines 3 and 4 all after the word "bonds," and insert in lieu thereof the following: "five millions seventy-five thousand dollars (\$5,075,000)."

The amendment was not agreed to.

No. 3. Add to section 23: "There is hereby appropriated out of the State treasury chargeable to the State revenue fund, for the salaries of three judges of the Springfield Court of Appeals, sixteen thousand dollars (\$16,000); for salary of marshal, reporter and janitor of Springfield Court of Appeals, five thousand dollars (\$5,000)."

The amendment was read first and second time and agreed to by the following vote:

AYES--Senators Allen, Ball, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Seabourn, Sebree, Sheldon, Smith and Webster—20.

NOES—Senators Castleman, Claycomb, Harmon, Hazell, Johnson of Montgomery, Mackey, Moran, Saltonstall, Sears, Sparks, Taggart and Wood—12.

ABSENT—Senator Parcher and Simrall—2.

No. 4. "For purchase or publication of the first sixteen volumes of the Missouri Appeal Reports, the sum of thirteen thousand dollars, (\$13,000)."

The amendment was not agreed to by the following vote; the President voting no:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hunter, Johnson of Madison, Kelly, Ketchum, Proctor, Seabourn, Sheldon, Sparks, Taggart and Wood—16.

NOES—Senators Ball, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Mansfield, Moran, Ryors, Saltonstall, Sears, Sebree, Smith and Webster—16.

ABSENT—Senators Parcher and Simrall—2.

No. 5. Amend section 6 of printed bill by striking out in lines 25 and 26 of said section, the words and figures "seventy thousand dollars (\$70,000)," and inserting in lieu thereof the words and figures "sixty thousand dollars (\$60,000)."

The amendment was not agreed to.

No. 6. Amend section 6 of printed bill by striking out in lines 26 and 27 of said section, the words and figures "twenty thousand two hundred dollars (\$20,200)," and inserting in lieu thereof the words and figures "nineteen thousand two hundred dollars (\$19,200)."

The amendment was not agreed to.

No. 7. Amend section 6 of printed bill by striking out in lines 35 and 36 of said section the words and figures "five thousand dollars (\$5,000)," and inserting in lieu thereof the words and figures three thousand four hundred dollars (\$3,400)."

The amendment was not agreed to by the following vote:

AYES—Senators Allen, Gideon, Johnson of Madison, Proctor, Seabourn, Sears, Sheldon, Sparks, Taggart, Webster and Wood—11.

NOES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Ryors, Saltonstall, Sebree and Smith—21.

ABSENT—Senators Parcher and Simrall—2.

No. 8. Strike out of line 36 in section 6, the words and figures "fifteen hundred dollars (\$1,500)."

The amendment was not agreed to.

No. 9. Amend section 6 of printed bill by striking out in lines 39 and 40 of said section, the words and figures "thirty-five thousand dollars (\$35,000)," and inserting in lieu thereof the words and figures "twenty-five thousand dollars (\$25,000)."

The amendment was not agreed to by the following vote

AYES—Senators Allen, Gideon, Hunter, Johnson of Madison, Proctor, Seabourn, Sheldon and Webster—8.

NOES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Ryors, Saltonstall, Sears, Sebree, Smith, Sparks, and Wood—23.

ABSENT—Senators Parcher, Simrall and Taggart—3.

No. 10. Insert between the words “for” and “twenty,” the words “purchase of,” in the 57th line of section 6 of printed bill.

The amendment was not agreed to.

No. 11. Amend section 6 of printed bill by striking out in line 59 of said section, the words and figures “thirty-thousand dollars (\$30,000),” and inserting in lieu thereof the following: “twenty-five thousand dollars (\$25,000);” this appropriation is reduced from former amounts appropriated for the support of this institution because of an accumulated surplus on hand at the beginning of the present year of about “twelve thousand dollars (\$12,000).”

The amendment was not agreed to by the following vote:

AYES—Senators Allen, Gideon, Hunter, Johnson of Madison, Ryors, Seabourn, Sears and Sheldon—8.

NOES—Senators Ball, Castleman, Claycomb, Davisson, Harmon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Saltonstall, Sebree, Smith, Sparks, Taggart, Webster and Wood—23.

ABSENT—Senator Downing, Parcher and Simrall—3.

No. 12. Strike out in lines 63 and 64 the following words: “For elevator and fire apparatus, four thousand three hundred dollars (\$4,300).”

The amendment was not agreed to.

No. 13. Amend printed bill by adding after the figures \$3,000, in line 63 in section 6, the following: “For tank and fire apparatus, twenty-seven hundred and eighty dollars (\$2,780).”

The amendment was not agreed to.

No. 14. Amend section 6 of printed bill by inserting after the figures “\$500” and before the word “for,” in the 75th line of said section, the following: “For cases and other means of taking care of museum specimens, four thousand one hundred dollars (\$4,100); for building campus fence, eight hundred dollars (\$800).”

The amendment was not agreed to.

No. 15. Amend section 6, line 79, by inserting after the word “for,” in said line, the words “purchase of.”

The amendment was not agreed to.

No. 16. Add to section 6 the following: "*Provided*, that the officers having charge of the various institutions mentioned in this section are hereby required to account in their next reports to the Legislature for the manner in which each item of appropriation, made in this section, shall have been applied, within five days of the meeting of the General Assembly, presenting vouchers for the same."

The amendment was not agreed to.

No. 17. Strike out of lines 26 and 27, in section 9, the following words: "Insurance of library."

The amendment was not agreed to.

No. 18. Amend sixth (A), subdivision of section 9 of printed bill by adding at the end of line 35 of said subdivision, the following: "There is hereby appropriated out of the State revenue fund the sum of twenty-five hundred and sixty-four and 62-100 dollars (\$2,564.62), for the payment to Philip F. Stifel, of special tax bill No. 4,978, issued by Thomas J. Whitman as acting president of the board of public improvements of the city of St. Louis, and countersigned by R. A. Campbell, comptroller of said city, and dated the 1st day of December, A. D. 1885, which tax bill is in full for the work of reconstructing, under the charter of said city, and of ordinances thereof numbered 12,755 and 12,832, Franklin avenue from Fourteenth to Twentieth streets in the city of St. Louis, along and in front of the property belonging to the State of Missouri, and known as the Missouri Institute for the Education of the Blind. Said amount to be paid not until it shall be certified by the comptroller of said city of St. Louis, that said tax bill has been entered satisfied upon the records of said comptroller's office, and said tax bill, together with said certificate of satisfaction, surrendered to the State Auditor.

The amendment was not agreed to.

No. 19. Amend section 9 of printed bill by adding after the figures "\$1,600" at end of line 46 of said section: "For traveling expenses while in the discharge of the duties of their office, three thousand dollars (\$3,000)."

The amendment was not agreed to.

No. 20. Amend section 9 of printed bill by striking out the words and figures "five thousand dollars (\$5,000)," in lines 54 and 55 of said section, and inserting in lieu thereof the words and figures "six thousand dollars (\$6,000)."

The amendment was not agreed to.

No. 21. Amend section 10 of printed bill by striking out the words and figures "two thousand dollars (\$2,000)," where they occur in lines 7 and 8 of said section, and inserting in lieu thereof the words and figures: "One thousand dollars (\$1,000)."

The amendment was not agreed to.

No. 22. Amend section 10 by adding after the figures "300," at the end of line 10, the following: "For re-roofing the Supreme Court building and for the constructing of a fire-proof vault in said building for the preservation of the records of the Supreme Court, fifteen hundred dollars (\$1,500)."

The amendment was not agreed to.

No. 23. Amend section 10 of printed bill by striking out in lines 12 and 13 the words and figures "for improving the grounds of the State Capitol, five hundred dollars (\$500); seventh."

The amendment was not agreed to.

No. 24. Amend section 12 of printed bill by adding at the end of said section the following: "For the pay of the clerk of the State Board of Agriculture, twelve hundred dollars (\$1,200)."

The amendment was not agreed to.

No. 25. Amend printed bill by striking out of section 22 all after the figures "\$140,000," in line 9, and by inserting in lieu thereof the following: "For completion and extension of walls around the penitentiary, for one three-story shop-room building, for one State shop-building, for extension of female department building, for electric light plant and ordinary repairs of the penitentiary, one hundred and two thousand five hundred dollars (\$102,500); for the purchase on behalf of the State of Missouri the necessary parcel of ground and the erection thereon of a residence and necessary improvements thereon for the use of the Warden of the Penitentiary, seven thousand five hundred dollars (\$7,500)."

The amendment was not agreed to.

Senator Ball moved to reconsider the vote by which amendment No. 3 was agreed to. The motion was agreed to.

Senator Gideon offered the following amendment, to be added to section 23 of said bill:

"There is hereby appropriated out of the State Treasury, chargeable to the State revenue fund for the salaries of three judges of the Springfield Court of Appeals, sixteen thousand dollars (\$16,000); for salary of marshal, reporter and janitor of Springfield Court of Appeals, five thousand dollars (\$5,000)"

The amendment was read first and second times and agreed to by the following vote:

AYES—Senators Allen, Ball, Davisson, Downing, Gideon, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Seabourn, Sebree, Sheldon, Smith and Webster—19.

NOES—Senators Castleman, Claycomb, Harmon, Hazell, Hunter, Johnson of Montgomery, Mackey, Moran, Saltonstall, Sears, Sparks, Taggart and Wood—13.

ABSENT—Senators Parcher and Simrall—2.

Senator McGinnis offered the following amendment, to be added to section 23 :

“For purchase or publication of the first sixteen volumes of the Missouri Appeal Reports, the sum of thirteen thousand dollars (\$13,000).”

The amendment was agreed to by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Gideon, Hunter, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—19.

NOES—Senators Ball, Downing, Harmon, Hazell, Jacobs, Johnson of Montgomery, Mansfield, Moran, Ryors, Saltonstall and Sears—12.

ABSENT—Senator Parcher and Seabourn—2.

SICK—Senator Simrall.

Senator Castleman moved to reconsider the vote by which amendment No. 18 was lost, which was agreed to by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Gideon, Hunter, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Sheldon, Smith, Sparks, Taggart, Webster and Wood—19.

NOES—Senators Ball, Downing, Harmon, Hazell, Jacobs, Johnson of Montgomery, Mansfield, Moran, Ryors, Saltonstall, Seabourn and Sebree—12.

ABSENT—Senators Parcher, Sears and Simrall—3.

Senator Castleman offered the following amendment, to be known as section 23a :

Section 23a. There is hereby appropriated out of the State revenue fund the sum of twenty-five hundred and sixty-four and 62-100 dollars (\$2,564.62) for the payment of Philip F. Stifel of special tax bill No. 4978, issued by Thomas J. Whitman as acting president of the board of public improvements of the city of St. Louis, and countersigned by R. A. Campbell, comptroller of said city, and dated the first day of December, A. D. 1885, which tax bill is in full for the work of reconstructing, under the charter of said city and of ordinances thereof numbered 12,755 and 12,832, Franklin avenue, from Fourteenth to Twentieth streets, in the city of St. Louis, along and in front of the property belonging to the State of Missouri, and known as the Missouri Institute for the Education of the Blind. Said amount to be paid not until it shall be certified by the comptroller of said city of St. Louis that said tax bill has been entered satisfied upon the records of said comptroller's office, and said tax bill, together with said certificate of satisfaction, surrendered to the State Auditor.

The amendment was agreed to.

House bill No. 707, entitled “An act to appropriate money for the

support of the State Government for the years 1887 and 1888," as amended, was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Seebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—32.

ABSENT WITH LEAVE—Senators Parcher and Simrall—2.

The following House amendment to Senate bill No. 95 was taken up :

Amendment No. 1. Amend section one of Senate bill No. 95, entitled "An act appopriating money to properly equip the State Agricultural College and Farm of Missouri," by striking out all the words and figures after the word "for," in the sixth line of said section, and inserting the following words and figures in lieu thereof: "For sheds, tool house and hog barn, the sum of one thousand dollars; for cattle and sheep barns, the sum of five thousand dollars; for dairy house, ice house and repairs, the sum of two thousand dollars; for two cottage houses for laborers, the sum of twelve hundred dollars; for the purchase of sheep for experimental purposes, the sum of five hundred dollars; for the purchase of swine, the sum of two hundred and fifty dollars; for the purchase of pure bred cattle of various breeds, the sum of three thousand five hundred dollars; for the purchase of horses, carts and tools, the sum of two thousand dollars; for experimental work for two years, the sum of two thousand dollars; for student labor, the sum of one thousand dollars; for horticultural building, the sum of thirteen hundred dollars; for veterinarian's laboratory and apparatus, the sum of five thousand dollars."

Amendment No. 2. Amend by striking out all of section two and inserting in lieu thereof the following: "The money hereby appropriated in section one shall be paid to the treasurer of the State Board of Agriculture, who shall execute a good and sufficient bond therefor under the order of said board, and shall be expended by the dean of the Agricultural College in the following manner: The dean of the Agricultural College shall advertise for bids for all of the items enumerated in section one, in at least two daily papers and four agricultural papers; said papers to be published within the State of Missouri, and all bids to supply the State with any of the items enumerated in section one shall be sealed and addressed to the dean of the Agricultural College, at Columbia, Boone county, Missouri, and upon receipt of said bids the dean of the Agricultural College shall notify the president of the State Board of Agriculture, who shall immediately call a special meeting of the

State Board of Agriculture, for the purpose of opening all bids offered; and each item, as enumerated in section one, shall be considered separately, and each and every bid shall be subject to acceptance or rejection: *Provided*, that no bid shall be accepted without a majority of all the members of the Board of Agriculture shall vote to accept said bid; and the money appropriated by this act shall be paid out upon written vouchers signed by the president and secretary of the State Board of Agriculture.

The amendments were read third time and agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Smith, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Jacobs, Ketchum, Mackey, Mansfield, Parcher, Sears, Sheldon and Simrall—8.

The following House amendment to Senate bill No. 81 was taken up:

Amend title of Senate bill No. 81 by striking out the words "and courts inferior to the circuit court, in counties having fifty thousand inhabitants or less."

The amendment was read third time and concurred in by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—25.

ABSENT—Senators Castleman, Downing, Jacobs, Ketchum, Moran, Parcher, Proctor, Sears and Simrall—9.

The following House amendments to Senate bill No. 223 were taken up:

Amendment No. 1. Amend by striking out all of section 3 between the words "be," in the thirteenth line, and the word "and," in the nineteenth line, and insert in lieu thereof the following: "*Provided*, that the same was caused by the occupant or owner of the premises, or his or their agent, and all cost and expenses incurred by the city in removing or abating any nuisance on any private property within the city limits, shall be assessed against the occupant or owner, if caused by them, or either of them, or their agent, and the same shall be assessed as a special tax bill against such private property, which shall be a special lien against such property in same manner and with same effect that special tax bills are for paving, etc.: *Provided, however*, that same is caused by the owner of the property or his consent is given thereto."

The amendment was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Mansfield, Parcher, Sears and Simrall—4.

Amendment No. 2. Strike out section 5 and insert the following in lieu thereof: "The mayor and council shall have power by ordinance to extend its limits, specifying the new line or lines to which the limits shall be extended, and the limits of the city, including the territory brought in: *Provided, however,* that no tract of land exceeding three acres in size so taken into the limits of any such city shall be subject to municipal taxation for any purpose whatever, so long as such tract of land shall remain undivided into tracts less than three acres in size, and shall be used for agricultural or horticultural purposes, or for dwelling house purposes in connection with a single dwelling house. All courts shall take judicial notice of the passage and approval of every such ordinance and the terms thereof, and of the territorial limits of every city of the second class."

The amendment was read third time and agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Mackey, Moran, Sears and Sheldon—4.

Amendment No. 3. Strike out the word "present," at the end of line two in section 12.

The amendment was read third time and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Sears, Sebree, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Mackey, Moran, Seabourn and Sheldon—4.

Amendment No. 4. Strike out all of section 12 after the word "are," in the sixth line.

The amendment was read third time and agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Mansfield, Parcher, Sears and Simrall—4.

Amendment No. 5. Strike out all of section 14 after the figures "4784," in the tenth line of said section.

The amendment was read third time and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Sears, Sebree, Simrall, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Mackey, Moran, Seabourn and Sheldon—4.

The following House amendment to Senate bill No. 141 was taken up:

Amendment No. 1. Amend by inserting in line seven of printed bill the following words: "And further amend said section by inserting in the ninth line thereof between the words 'indictment' and 'or,' the words 'or information.'"

The amendment was read third time and concurred in by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Sears, Sheldon, Smith, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senators Harmon, Johnson of Montgomery, Mansfield, Parcher, Seabourn, Sebree and Simrall—7.

Amendment No. 2. Further amend by inserting in line thirty of printed bill, between the words "indictment" and "or," the words "or information."

The amendment was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Ryors, Saltonstall, Sears, Sheldon, Smith, Sparks, Taggart, Webster and Wood—27.

ABSENT—Senators Harmon, Johnson of Montgomery, Mansfield, Parcher, Seabourn, Sebree and Simrall—7.

The following House amendments to Senate bill No. 173 were taken up:

Amendment No. 1. Amend printed bill by striking out of line 7 the words and figures "two (2)," and in lieu thereof insert "three," and by striking out of line 26 the word "two," and in lieu thereof insert the word "three."

The amendment was read third time and concurred in by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart and Webster—27.

NO—Senator Wood.

ABSENT—Senators Davisson, Johnson of Montgomery, Mansfield, Moran, Parcher and Simrall—6.

Amendment No. 2. Amend printed bill by adding in line 36, after the word "vacancies," the following: "*Provided, however,* that the provisions of this act shall not repeal, annul or in anywise conflict or interfere with the provisions of section 2805 of the Revised Statutes of Missouri; and by adding at the end of section 36 the same words above added."

The amendment was read third time and agreed to by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart and Webster—27.

NO—Senator Wood.

ABSENT—Senators Davisson, Johnson of Montgomery, Mansfield, Moran, Parcher and Simrall—6.

Amendment No. 3. Amend the bill by adding a new section, as follows :

Section 2. The necessity for more justices of the peace in cities with populations of one hundred thousand or more, and demands of business therefor, creates an emergency for the immediate taking effect of this act; therefore, this act shall take effect and be in force from and after its passage.

The amendment was read third time and agreed to by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart and Webster—27.

ABSENT—Senators Davisson, Johnson of Montgomery, Mansfield, Moran, Parcher, Simrall and Wood—7.

Amendment No. 4. Amend title by striking out of line 6 of title the word “two,” and in lieu thereof insert the word “three.”

The amendments were read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart and Webster—27.

NO—Senator Wood.

ABSENT—Senators Davisson, Johnson of Montgomery, Mansfield, Moran, Parcher and Simrall—6.

The following House Amendment to Senate bill No. 258 was taken up :

Amend by striking out the word “October,” wherever it occurs in the bill, and by inserting in lieu thereof the word “September,” and by striking out the word “September,” wherever it occurs in the bill, and by inserting in lieu thereof the word “November.”

The amendment was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Jacobs, Moran, Parcher and Simrall—4.

The following House amendment to Senate bill No. 313 was taken up :

Amend substitute for Senate bill No. 313 by striking out section 2 of said bill and inserting in lieu thereof the following :

Section 2. There shall not be paid a sum exceeding eleven dollars and fifty cents per month for a single arc electric light contracted for, shall not exceed eight arc lights, and no such contract shall extend over a period of two years, but may be renewed upon the expiration of such term : *Provided*, that nothing in this act shall be so construed as to apply to the establishment of an electric light plant in the State Penitentiary : *And provided, further*, that no gas shall be used where the same can be dispensed with when said electric light is used and in operation.

The amendment was read third time and concurred in by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson,

Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Harmon, Moran, Parcher, Simrall—4.

The following House amendment to Senate bill No. 185 was taken up :

Amendment No. 1. Amend Senate bill No. 185 by striking out section one (1) and inserting in lieu thereof the following :

Section 1. For the purpose of determining the population of any county in this State, as a basis for ascertaining the salary of any county officer for any year, or the amount of fees he may retain, or the amount he shall be allowed to pay for deputies or assistants, the highest number of votes cast at the last previous general election, whether heretofore or hereafter held in such county, for any office, shall be multiplied by five (5), and the result shall be considered and held for the purpose aforesaid as the true population of such county.

The amendment was concurred in by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Harmon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—31.

ABSENT—Senators Moran, Parcher and Simrall—3.

House bill 593, entitled "An act to amend section 982 of article 10, chapter 21 of the Revised Statutes of the State of Missouri," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—30.

ABSENT—Senators Downing, Parcher, Ryors and Simrall—4.

SICK—Senator Harmon.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

Substitute for House bill No. 419, entitled "An act fixing the number of directors in public school boards in certain cities and providing for the election of such directors and for redistricting said cities therefor," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Hunter, Jacobs, Johnson of Montgomery, McGinnis, Mackey,

Mansfield, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sparks, Taggart and Wood—21.

NOES—Senators Hazell, Johnson of Madison, Kelly, Kerwin, Ketchum, Moran, Sheldon, Smith and Webster—9.

ABSENT—Senators Gideon and Parcher—2.

SICK—Senators Harmon and Simrall—2.

The title was read and agreed to.

Senator Downing moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 265, entitled "An act to establish an institution under the name and style of the State industrial home for girls," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Seabourn, Sebree, Sheldon, Smith, Taggart and Wood—26.

NOES—Senators Saltonstall and Sears—2.

ABSENT—Senators Castleman, Sparks and Webster—3.

ABSENT WITH LEAVE—Senators Harmon, Parcher and Simrall—3.

The title was read and agreed to.

Senator McGinnis moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Substitute for House bill No. 205, entitled "An act authorizing executors and administrators to borrow money to pay debts," was read third time and failed to passed by the following vote :

AYES—Senators Allen, Ball, Claycomb, Gideon, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Seabourn, Sears, Sheldon, Smith and Sparks—17.

NOES—Senators Castleman, Davisson, Downing, Hazell, Johnson of Montgomery, Mackey, Proctor, Ryors, Saltonstall, Sebree, Taggart, Webster and Wood—13.

ABSENT—Senators Moran and Parcher—2.

ABSENT WITH LEAVE—Senator Harmon.

SICK—Senator Simrall.

House bill No. 369, entitled "An act to amend section 2 of an act to amend section 7417, chapter 159, Revised Statutes of Missouri, approved March 18, 1885, entitled 'Of swine running at large,' " was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Davisson, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Ker-

win, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Sears, Sheldon, Smith, Sparks, Taggart, Webster and Wood—24.

NOES—Senators Claycomb, Saltonstall, Seabourn and Sebree—4.

ABSENT—Senators Downing, Hazell, Parcher and Ryors—4.

SICK—Senators Harmon and Simrall—2.

The title was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 259, entitled "An act to amend sections one and two and to repeal section seven of an act to provide for the ascertainment of and payment for damages done by municipal corporations of private property for public use, as directed by section 21 of article 2 of the State Constitution, entitled 'Cities, towns and villages—damages to private property for public use ;'"

Also, Senate bill No. 351, entitled "An act to authorize the judge of probate of New Madrid county, Missouri, to appoint a clerk of said court and prescribe his duties and compensation ;"

Also, Senate bill No. 200, entitled "An act to amend section 929 of article 8 of the Revised Statutes of Missouri of 1879, entitled 'Manufacturing and business companies ;'"

Also, Senate bill No. 90, entitled "An act to provide for the refunding and payment of the State debt, and to repeal chapter 153 and sections 7551, 7552, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633, 7634 and 7635 of article 1 of chapter 164 of the Revised Statutes of Missouri ;"

Also, Senate bill No. 302, entitled "An act authorizing county collectors to pay into the county treasury, pending litigation, money in their hands claimed by both the State and county or municipal townships ;"

Also, Senate bill No. 325, entitled "An act to authorize the county court of Wright county to relieve James A. Tate, treasurer of said county, from the payment of money stolen and belonging to said county ;"

Also, Senate bill No. 203, entitled "An act to repeal section 1 of the session acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record, approved April 2, 1883, and to enact a new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit ;"

Also, Senate bill No. 168, entitled "An act to place the streets and alleys in unincorporated towns and villages under the control of the county courts and road overseers," and before the reading of each bill

announced that unless objection be made, he would sign the same to the end that it become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate in open session, and no other business intervening, affixed his signature thereto. The bills were then taken to the House of Representatives, read at length, and signed by the Speaker, and immediately taken to the Governor by the Secretary for his approval.

The President announced that all other business would be suspended and directed the Secretary to read at length House bill No. 394, entitled "An act to require railroad companies, or persons owning or operating any railroad or railroads in this State, to furnish suitable and convenient cars for shipping live stock ;"

Also, substitute for House bill No. 76, entitled "An act to restrict the legislative authority of incorporated towns and cities in regard to granting franchises for using the streets and alleys of incorporated towns and cities of this State for elevated, underground and other street railway purposes, and to provide for the payment of damages caused by the construction and operation thereof," and announced upon the reading of each bill that unless objection be made he would sign the same to the end that it become a law. Each bill was read at length by the Secretary, and no objection being made, the presiding officer immediately upon reading each bill, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

House bill No. 151, entitled "An act to amend section 974 of chapter 21, article 10 of the Revised Statutes of Missouri, entitled of benevolent, religious, scientific, educational and miscellaneous associations as amended by an act approved February 8, 1881," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Smith, Sparks, Taggart and Wood—27.

NO—Senator Castleman.

ABSENT—Senators Parcher, Ryors, Sears and Webster—4.

SICK—Senators Harmon and Simrall—2.

The emergency clause was not adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Smith, Sparks, Taggart and Wood—25.

ABSENT—Senators Downing, Kelly, Moran, Parcher, Ryors, Sears and Webster—7.

SICK—Senators Harmon and Simrall—2.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Ball submitted the following report from the committee appointed to ascertain the clerical force needed to finish the business of the session, which was read and adopted :

MR. PRESIDENT: Your committee appointed to report what clerks are necessary to finish up the business and records after final adjournment, recommend that the Secretary be allowed to retain the clerks on his staff for ten days; that the chief clerk on the Engrossing Committee and Clerk on Accounts be retained for ten days; also, that James Flaugherty be retained as janitor.

Senator Sears submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 341, entitled "An act in relation to terms of probate court in more than one place in certain counties, and as to appointment of clerks for the probate court in any county where terms of the probate court may be held in more than one place in such county;"

Also, Senate bill No. 335, entitled "An act amending and in revision of all acts creating a board of police commissioners, and authorizing the appointment of a permanent police force of the City of Kansas, approved March 27, 1874, and subsequent amendment thereto, approved February 8, 1875, March 22, 1881, and March 24, 1881;"

Also, Senate bill No. 84, entitled "An act to furnish the county of Butler the Supreme Court and the court of appeal reports from volume 16; also, the Revised Statutes of 1879, and session laws of 1881, 1883 and 1885;"

Also, Senate bill No. 338, entitled "An act to amend section 7037 of article 1, chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of schools;'"

Also, Senate bill No. 145, entitled "An act to amend section 1 of an act entitled 'An act to amend section 6879, and to repeal section 6880 and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads;,' also, enact a new section numbered 6886a; also, an emergency clause, approved March 17, 1885;"

Also, Senate bill No. 221, entitled "An act to amend section one thousand and seventy-seven, article two, chapter 23 of the Revised Statutes of 1879, relating to the Supreme Court ;"

Also, Senate bill No. 275, entitled "An act to amend article II. of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, be designated as section 7154a ;"

Also, Senate bill No. 247, entitled "An act entitled an act to amend section 5032 of the Revised Statutes of Missouri, entitled 'Of villages ;'"

Also, Senate bill No. 219, entitled "An act to amend section 6986, Revised Statutes of Missouri, 1879," beg leave to report that they have carefully examined the same and find them truly enrolled.

House bill No. 623, entitled "An act to authorize funding of the debt of counties in certain cases," was read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mansfield, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks, Taggart, Webster and Wood—25.

ABSENT—Senators Ball, Jacobs, Ketchum, Mackey, Moran, Parcher and Ryors—7.

SICK—Senators Harmon and Simrall—2.

The title was read and agreed to.

Senator Gideon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 208, entitled "An act to authorize the board of regents of Lincoln Institute to sell the institute farm, and to purchase land adjoining said institute," was read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Sparks, Taggart, Webster and Wood—25.

ABSENT—Senators Ball, Johnson of Madison, Mackey, Parcher, Ryors, Sears and Smith—7.

SICK—Senator Harmon and Simrall—2.

The title was read and agreed to.

Senator Hazell moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 468, entitled "An act providing for back tax books in cities having three hundred thousand inhabitants or more, and prescribing the manner of making the same," was read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Sparks, Taggart, Webster and Wood—27.

NO—Senator Hazell.

ABSENT—Senators Ball, Parcher, Ryors and Smith—4.

ABSENT WITH LEAVE—Senator Harmon.

SICK—Senator Simrall.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Sparks, Taggart, Webster and Wood—26.

ABSENT—Senators Ball, Hazell, Moran, Proctor, Simrall and Smith—6.

ABSENT WITH LEAVE—Senators Harmon and Ryors—2.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Jacobs offered the following resolution, which was read and adopted:

Resolved, That the *per diem* of the assistant door-keeper and the custodian of the Senate chamber be fixed at \$3.50 per day from the beginning of the session.

The resolution was adopted by the following vote:

AYES—Senators Allen, Davisson, Downing, Gideon, Hazell, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Moran, Sears, Sebree, Sheldon, Sparks and Webster—17.

NOES—Senators Castleman, Claycomb, Hunter, Johnson of Madison, Mackey, Mansfield, Seabourn, Taggart and Wood—9.

ABSENT—Senators Ball, Parcher, Proctor, Ryors, Saltonstall and Smith—6.

ABSENT WITH LEAVE—Senators Harmon and Simrall—2.

House bill No. 453, entitled "An act for the relief of the heirs of Morgan Sullivan, deceased, and James Dodds, and to appropriate money therefor," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Gideon, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Moran, Proctor, Sears and Sheldon—17.

NOES—Senators Claycomb, Hazell, Hunter, McGinnis, Seabourn, Sebree, Sparks, Taggart Webster and Wood—10.

ABSENT—Senators Parcher, Ryors, Saltonstall and Smith—4.

ABSENT WITH LEAVE—Senator Harmon.

SICK—Senators Johnson of Montgomery and Simrall—2.

Senator Wood submitted the following reports from the Committee on University, Public and Normal School Education, which were read:

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred House bill No. 681, entitled "An act to provide for furnishing the people of the State of Missouri with a uniform series of text books, and to regulate the price thereof," beg leave to report that they have carefully examined the same and a majority thereof recommend that it do not pass.

MR. PRESIDENT: Your Committee on University, Public and Normal School Education, to whom was referred Senate bill 329, entitled "An act to establish the Southwest Normal School at El Dorado Springs, in Cedar county, Missouri, and appropriate money therefor," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Substitute for House bills Nos. 16, 230, 360 and 405, entitled "An act to repeal an act entitled 'An act to revise and amend the general laws in relation to roads and highways, and providing for establishing, opening, repairing and vacating the same,' approved March 31, 1883, and to enact a new law in lieu thereof," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Seabourn, Sebree, Sheldon, Sparks, Taggart, Webster and Wood—25.

NO—Senator Hazell.

ABSENT—Senators Ryors, Saltonstall, Sears and Smith—4.

SICK—Senators Harmon, Johnson of Montgomery, Parcher and Simrall—4.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 674, entitled "An act to make copies of entries in and abstracts of title made from certain abstracts of title to lands in Gentry county, Missouri, known as George C. Holden's abstracts, when verified by affidavit, *prima facie* evidence of title in all courts and places in this State, and to allow the same to be rebutted by parol

or other legal evidence, and to allow the use of any other competent evidence, either written or parol, in lieu of such abstract evidence, fixing a maximum schedule of fees for furnishing such copies of entries and abstracts of title, providing a penalty for exceeding such schedule of fees, and for failure to furnish such copies or abstracts of title under certain conditions, and making it a felony to falsely alter, destroy, corrupt or falsify any entry in said abstracts of title, or to procure the same to be done, so that the same shall not conform to the original records of Gentry county, as now shown by such abstracts of title," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Sears, Sebree, Sheldon, Sparks, Taggart, Webster and Wood—24.

NO—Senator Claycomb.

ABSENT—Senator Gideon.

SICK—Senators Harmon, Johnson of Montgomery, Parcher, Ryors, Saltonstall, Seabourn, Simrall and Smith—8.

The title was read and agreed to.

Senator Kelly moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 606, entitled "An act creating a board of police commissioners and authorizing the appointment of a permanent police force for cities of the second class," beg leave to report that they have carefully examined the same and recommend that it do pass.

House bill No. 606, entitled "An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for cities of the second class," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Seabourn, Sears, Sebree, Sheldon, Sparks, Taggart and Webster—25.

ABSENT—Senator Hunter, Parcher, Ryors, Saltonstall and Wood—5.

SICK—Senators Harmon, Johnson of Montgomery, Simrall and Smith—4.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson,

Downing, Gideon, Hazell, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Seabourn, Sears, Sebree, Sheldon, Sparks, Taggart and Webster—25.

ABSENT—Senators Hunter, Parcher, Ryors, Saltonstall and Wood—5.

SICK—Senators Harmon, Johnson of Montgomery, Simrall and Smith—4.

The title was read and agreed to.

Senator Moran moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Substitute for House bill No. 318, entitled "An act to amend section 1631 of article 8 of chapter 24 of the Revised Statutes of the State of Missouri, 1879, concerning crimes and criminal procedure, and the several acts amendatory thereof," was read third time and failed to pass by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, Moran, Sears, Sheldon, Webster and Wood—17.

NOES—Senators Castleman, Hazell, McGinnis, Mackey, Mansfield, Proctor, Seabourn, Sebree, Sparks and Taggart—10.

SICK—Senators Harmon, Johnson of Montgomery, Parcher, Ryors, Saltonstall, Simrall and Smith—7.

House bill No. 448, entitled "An act providing for police judges in cities of the fourth class," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Hazell, Hunter, Jacobs, Johnson of Madison, McGinnis, Mackey, Mansfield, Proctor, Seabourn, Sears, Sebree, Taggart, Webster and Wood—19.

NOES—Senators Downing, Kelly Kerwin, Ketchum, Moran and Sheldon—6.

ABSENT—Senator Gideon.

SICK—Senators Harmon, Johnson of Montgomery, Parcher, Ryors, Saltonstall, Simrall, Smith and Sparks—8.

The title was read and agreed to.

Senator Claycomb moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Substitute for House bill No. 319, entitled "An act to repeal section 7384 of chapter 158 of the Revised Statutes of the State of Missouri for 1879, relating to county surveyors, and enacting a new section in lieu thereof, relating to the same subject, to be known as section 7384," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson,

Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Seabourn, Sears, Seabree, Sheldon, Sparks, Taggart, Webster and Wood—27.

SICK—Senators Harmon, Johnson of Montgomery, Parcher, Ryors, Saltonstall, Simrall and Smith—7.

The title was read and agreed to.

Senator McGinnis moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 335, entitled "An act amending and in revision of all acts creating a board of police commissioners, and authorizing the appointment of a permanent police force of the City of Kansas, approved March 27, 1874, and subsequent amendments thereto, approved February 8, 1875, March 22, 1881, March 24, 1881;"

Also, Senate bill No. 145, entitled "An act to amend section 1 of an act entitled 'An act to amend section 6879, and to repeal section 6880 and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled 'Of assessment and taxation of railroads;' also, enact a new section numbered 6886a; also, an emergency clause, approved March 17, 1885;"

Also, Senate bill No. 275, entitled "An act to amend article 2 of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, to be designated as section 7154a;"

Also, Senate bill No. 247, entitled "An act entitled 'An act to amend section 5032 of the Revised Statutes of Missouri, entitled 'Of villages;'"

Also, Senate bill No. 219, entitled "An act to amend section 6986, Revised Statutes of Missouri, 1879;"

Also, Senate bill No. 221, entitled "An act to amend section 1077, article 2, chapter 23 of the Revised Statutes of 1879, relating to the Supreme Court;"

Also, Senate bill No. 338, entitled "An act to amend section 7037 of article 1 of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of schools;'"

Also, Senate bill No. 84, entitled "An act to furnish the county of Butler the Supreme Court and the court of appeal reports from volume 16; also, the Revised Statutes of 1879, and session laws of 1881, 1883 and 1885;"

Also, Senate bill No. 341, entitled "An act in relation to term of s. J.—46

probate court in more than one place in certain counties, and as to appointment of clerks for the probate court in any county where terms of the probate court may be held in more than one place in such county," and announced on the reading of each bill that unless objection be made, he would sign the same to the end that it become a law. Each bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representative, read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No. 138, entitled "An act to repeal section 2409 of chapter 32 of the Revised Statutes of Missouri for 1879, in relation to executions, and to enact in lieu thereof a new section, to be known as section 2409," beg leave to report that they have carefully examined the same and recommend that it do pass.

House bill No. 138, entitled "An act to repeal section 2409 of chapter 32 of the Revised Statutes of the State of Missouri for 1879, in relation to executions, and to enact in lieu thereof a new section, to be known as section 2409," was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hunter, Jacobs, Kelly, Kerwin, McGinnis, Mackey, Moran, Proctor, Seabourn, Sears, Sebree, Sheldon, Smith, Taggart, Webster and Wood—23.

ABSENT—Senators Hazell, Johnson of Madison, Ketchum, Mansfield, Parcher, Ryors, Saltonstall and Sparks—8.

SICK—Senators Harmon, Johnson of Montgomery and Simrall—3.

The title was read and agreed to.

Senator Castleman moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 268, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' and to repeal section 5623 of said chapter," was read third time and passed the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Proctor, Seabourn, Sears, Sebree, Sheldon, Taggart and Webster—23.

SICK—Senators Harmon, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Ryors, Saltonstall, Simrall, Smith, Sparks and Wood—11.

The title was read and agreed to.

Senator Seabourn moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Castleman submitted the following report from the Committee on Insurance, which was read:

MR. PRESIDENT: Your Committee on Insurance, to whom was referred House bill No. 250, entitled "An act to amend chapter one hundred and nineteen, article four of Revised Statutes of Missouri, entitled 'Of insurance,' by adding a new section thereto, to be known as section 6055a, on the same subject," beg leave to report that they have carefully examined the same and the committee being equally divided thereon, the same is returned without recommendation.

Senator Allen submitted the following reports from the Committee on Corporations other than Railroads and Insurance, which were read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred Senate bill No. 243, entitled "An act authorizing cities of over fifty thousand inhabitants to compel the placing of electric, telephone and telegraph wires under ground;"

Also, Senate bill No. 298, entitled "An act to repeal section 4942 of article 5 of chapter 89 of the Revised Statutes of the State of Missouri of 1879, and to enact a new section in lieu thereof;"

Also, Senate bill No. 331, entitled "An act to provide the method and procedure of adding additional territory to incorporated cities, towns or villages;"

Also, Senate bill No. 109, entitled "An act to amend article 3, Revised Statutes of 1879, entitled 'Telegraph and telephone companies,' by adding section 891a and 891b," reported without recommendation.

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred House bill No. 362, entitled "An act to amend section five (5) of an act entitled 'Corporations—trust companies,' approved March 20, 1885;"

Also, Senate bill No. 357, entitled "An act, etc.," beg leave to report same with recommendation.

House bill No. 537, entitled "An act to amend section 4 of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists, approved March 29, 1883,' entitled 'An act to regulate the sale of medicines and poisons by druggists and pharma-

cists, approved March 26, 1881,'” was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Kelly, Kerwin, McGinnis, Mansfield, Moran, Seabourn, Sears, Sebree, Sheldon, Smith, Taggart and Webster—22.

NOES—Senators Ketchum and Proctor—2.

SICK—Senators Harmon, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Ryors, Saltonstall, Simrall, Sparks and Wood—10.

The title was read and agreed to.

Senator Jacobs moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 516, entitled “An act entitled ‘An act to repeal section 7053 of chapter 150, article 1 of the Revised Statutes of Missouri, ‘Of schools;’”, to repeal an act entitled ‘An act to amend section 7052 of chapter 150, article 1 of the Revised Statutes of Missouri, ‘Of schools,’ approved April 2, 1883,’ and to repeal an act to amend section 7054 of the Revised Statutes of Missouri in relation to colored schools, approved March 16, 1883, and to enact two new sections in lieu thereof, to be numbered 7052 and 7053,’” was read third time and passed by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Jacobs, Kelly, Kerwin, McGinnis, Proctor, Seabourn, Sebree, Sheldon, Smith, Taggart and Webster—19.

NOES—Senators Allen, Ketchum, Mansfield, Moran and Sears—5.

ABSENT—Senators Hunter, Ryors and Wood—3.

ABSENT WITH LEAVE—Senators Harmon, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Simrall and Sparks—8.

The title was read and agreed to.

Senator Hazell moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

On motion of Senator McGinnis, the Senate adjourned until 9:30 o'clock Monday morning.

FIFTY-SEVENTH DAY—MONDAY, March 21, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Senator Saltonstall presented the following communication from the State Auditor, and also the following receipt from the State Treasurer, which were read :

CITY OF JEFFERSON, March 19, 1887.

I, John Walker, State Auditor of the State of Missouri, do hereby certify that Hon. James R. Saltonstall, member of the State Senate from the 15th Senatorial district, was paid the sum of \$10 as his per diem for coming and returning from the Thirty-third General Assembly.

Witness my hand and official seal this 19th day of March, A. D. 1887.

JOHN WALKER, State Auditor.

CITY OF JEFFERSON, March 21, 1887.

Received of James R. Saltonstall, twelve dollars and ten cents for credit of State Revenue Fund, per diem for two days coming and returning from the Legislature for 1885, and interest refunded to the State. Per diem, \$10 ; interest on same, \$2.10 ; total, \$12.10.

In testimony whereof, I have hereunto set my hand and affixed my seal of office, the day and year above.

J. M. SEIBERT, Treasurer.

Senator Hunter submitted the following report from the Committee on Ways and Means, which was read :

MR. PRESIDENT: Your Committee on Ways and Means, to whom was referred Senate bill No. 151, entitled "An act to amend sections 6908 and 6910, article 11, chapter 145 of the Revised Statutes of 1879, relating to taxation of merchants and manufacturers, by inserting certain words therein and by adding an additional clause to said section 6910," beg leave to report that they have carefully examined the same and recommend that it do not pass.

Senator Hunter offered the following resolution, which was read and adopted :

Resolved, That the folder be allowed ten days extra to ship Auditor's reports and public documents.

Senator Downing offered the following resolution, which was read and adopted :

Resolved, That the State Auditor be authorized to have 3,000 more copies of the Auditor's report printed.

Senator Ball offered the following resolution, which was read and adopted :

Resolved, That the Enrolling Clerk be also retained ten days to assist in completing the journal.

Senator Mackey offered the following resolution, which was read and not adopted :

Resolved, That all committee clerks of the standing Senate committees of the Thirty-fourth General Assembly shall receive pay from the first day of the session.

Senator Hazell offered the following resolution, which was read :

Resolved, That Nicholas Killman of Cole county, and John P. Ellis of Boone county, be allowed one dollar each per day for extra services rendered during the session.

The resolution was agreed to by the following vote :

AYES—Senators Allen, Gideon, Hazell, Kelly, McGinnis, Mackey, Mansfield, Proctor, Ryors, Sears, Sebree, Sheldon, Webster and Wood—14.

NOES—Senators Castleman, Claycomb, Davisson, Downing, Johnson of Montgomery, Kerwin, Ketchum, Saltonstall and Seabourn—9.

ABSENT—Senators Ball, Hunter, Jacobs, Johnson of Madison, Moran, Parcher, Simrall, Smith, Sparks and Taggart—10.

SICK—Senator Harmon.

Senator Sears submitted the following reports from the Committee on Enrolled Bills, which were read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 141, entitled "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees;'"

Also, Senate bill No. 95, entitled "An act appropriating money to properly equip the State Agricultural College and Farm of Missouri;"

Also, Senate bill No. 81, entitled "An act to regulate appeals to the circuit court from township boards;"

Also, Senate bill No. 258, entitled "An act to amend section one of an act entitled 'An act to amend section thirteen of an act entitled 'An act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof,' approved February

2, 1871; changing the time of holding court, and providing for changes of venue in said county, approved February 8, 1872 ;”

Also, Senate bill No. 209, entitled “An act to prohibit railroad companies, corporations or individuals owning, operating or managing any railroad in the State of Missouri, from consolidating the stock property or franchises of such company, corporation or individual, or from leasing, purchasing or in any other manner acquiring an interest in the works or franchises of, or in any way whatever to any degree exercising control over any railroad company, corporation or individual owning, operating, or having under his or their control or management, a parallel or competing line in this State, and to prescribe penalties therefor, and the means of enforcing the provisions of this act, and to repeal all acts or parts of acts in conflict or inconsistent herewith ;”

Also, Senate bill No. 265, entitled “An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of three hundred and fifty thousand inhabitants or more, and providing for their compensation ;”

Also, Senate bill No. 3, entitled “An act to repeal an act entitled ‘An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor ;’”

Also, Senate bill No. 284, entitled “An act concerning mutual savings societies ;”

Also, Senate bill No. 146, entitled “An act repealing an act entitled ‘An act providing for a State Veterinary Surgeon, defining his duties and fixing his compensation,’ session acts of 1885, and enacting a new act in lieu thereof, entitled ‘An act providing for the appointment of a State Veterinary Surgeon, defining his duties and fixing his compensation ;”

Also, Senate bill No. 343, entitled “An act concerning mutual savings fund, loan and building associations ;”

Also, Senate bill No. 215, entitled “An act to provide for service of process in proceedings to contest corporate elections ;”

Also, Senate bill No. 223, entitled “An act relating to cities of the second class ;”

Also, substitute for Senate bill No. 313, entitled “An act enabling the State to light its public buildings and grounds, located at the City of Jefferson, with electric lights ;”

Also, Senate bill No. 185, entitled “An act to ascertain the population of any county in this State, and to adjust the salaries of certain officers ;”

Also, substitute for Senate bill No. 173, entitled “An act to amend section twenty-eight hundred and three, article one, chapter forty-four

of the Revised Statutes of the State of Missouri of 1879, so as to entitle cities of over one hundred thousand inhabitants or more, three justices of the peace in addition to the number allowed by law to the township in which such city may be ;”

Also, Senate bill No. 228, entitled “An act to amend section 3376 of chapter 56 of the Revised Statutes of the State of Missouri of the year 1879, entitled ‘Of partition ;’”

Also, Senate bill No. 304, entitled “An act to amend chapter twenty-one of the Revised Statutes of Missouri of 1879, entitled ‘Of private corporations,’ by adding thereto a new article to be entitled article XI., ‘Of training schools for minors ;’”

Also, Senate bill No. 35, entitled “An act to repeal sections 7144, 7145 and 7146 of article II., chapter 150 of the Revised Statutes of Missouri, entitled ‘Of schools,’ and to enact three new sections in lieu thereof ;”

Also, Senate bill No. 14, entitled “An act authorizing county courts in counties now containing, or that may hereafter contain one or more graded roads to macadamize the same, and providing the manner of doing such work ;”

Also, Senate bill No. 289, entitled “An act to prevent physicians, or pretended physicians, from issuing fraudulent prescriptions in this State ;”

Also, Senate bill No. 252, entitled “An act to amend section 5415 of chapter 96 of the Revised Statutes of the State of Missouri, entitled ‘Of ditches and drains ;’”

Also, Senate bill No. 165, entitled “An act to repeal section 2400 of chapter 32, Revised Statutes of 1879, entitled ‘Of executions,’ and to enact a new section in lieu thereof, to be known as section No. 2400 ;”

Also, Senate bill No. 47, entitled “An act to enable cities and towns operating under special charters and containing ten thousand inhabitants or less to cause the owners of property and lots to build and repair sidewalks, and enforce the same as a lien on the property, and to provide by ordinance for the appointment of constable and street and sidewalk commissioner ;”

Also, Senate bill No. 171, entitled “An act to amend an act entitled ‘An act to restrain domestic animals from running at large,’ approved March 27, 1883, by adding a new section thereto, to be known as section 12a ;”

Also, Senate bill No. 193, entitled “An act to repeal an act entitled ‘An act to amend section 5627 of chapter 103 of the Revised Statutes of Missouri, entitled ‘Of fees,’ approved March 21, 1883, and to enact a new section in lieu thereof,” beg leave to report that they have carefully examined the same and find them truly enrolled.

The following communications were received from the House of Representatives, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed Senate bill No. 252, entitled "An act to amend section 5415 of chapter 96 of the Revised Statutes of the State of Missouri, entitled 'Of ditches and drains;'"

Also, Senate bill No. 14, entitled "An act authorizing county courts in counties now containing or that may hereafter contain one or more graded roads to macadamize the same, and providing the manner of doing such work."

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and concurred in Senate amendments to House bill No. 707, as follows:

Add to section 23: "There is hereby appropriated out of the State treasury, chargeable to the State revenue fund, for the salaries of three judges of the Springfield Court of Appeals, sixteen thousand dollars (\$16,000); for salary of marshal, reporter and janitor of Springfield Court of Appeals, five thousand dollars (\$5,000); for purchase or publication of first sixteen volumes of the Missouri Appeal Reports, the sum of thirteen thousand dollars (\$13,000)."

Section 23a. There is hereby appropriated out of the State revenue fund, the sum of twenty-five hundred and sixty-four dollars and sixty-two hundredths (\$2,564.62) for the payment of Philip F. Stifel of special tax bill No. 4978, issued by Thomas J. Whitman, as acting president of the board of public improvements of the city of St. Louis, and countersigned by R. A. Campbell, comptroller of said city, and dated the first day of December, A. D. 1885, which tax bill is in full for the work of reconstructing, under the charter of said city and of ordinances thereof numbered 12,755 and 12,832, Franklin avenue, from Fourteenth to Twentieth street in the city of St. Louis, along and in front of the property belonging to the State of Missouri, and known as the Missouri Institute for the Education of the Blind, said amount to be paid not until it shall be certified by the comptroller of said city of St. Louis that said tax bill has been entered satisfied upon the records of said comptroller's office, and said tax bill, together with said certificate of satisfaction, surrendered to the State Auditor.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed substitute for Senate bill No. 47, entitled "An act to enable cities and towns operating under special charters, and containing ten thousand inhabitants or less, to cause the owners of property and lots to build and repair sidewalks and enforce the same as a lien on the property, and to provide by ordinance for the appointment of constable and street and sidewalk commissioners."

Also, Senate bill No. 171, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large, approved March 27, 1883,' by adding a new section thereto, to be known as section 12a," with emergency clause which was not adopted ;

Also, Senate bill No. 193, entitled "An act to repeal an act entitled 'An act to amend section 5627 of chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees,' approved March 21, 1883, and to enact a new section in lieu thereof," with an emergency clause, which was not agreed to.

Also, Senate bill No. 35, entitled "An act to repeal sections 7144, 7145 and 7146 of article 2, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof," with an emergency clause, which was not agreed to.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and concurred in Senate amendments to substitute for House bill No. 565, as follows:

Amend substitute for House bill No. 565 by striking out all of section one, after the words "to wit," in the fifth line of said section, and insert in lieu thereof the following: "In all counties now containing, or that may hereafter contain, seventy-five thousand inhabitants or more, the county courts of such counties shall cause one-half of the revenue for county purposes derived from dramshop licenses to be set apart as a special road fund of such counties, and shall cause the same to be expended under the directions of the court in the improvement of the public roads of such counties."

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up and passed Senate bill No. 304, entitled "An act to amend chapter twenty-one of the Revised Statutes of Missouri of 1879, entitled 'Of private corporations,' by adding thereto a new article, to be entitled article XI., 'Of training schools for minors;'"

Also, Senate bill No. 228, entitled "An act to amend section 3376 of chapter 56 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of partition;'"

Also, Senate bill No. 165, entitled "An act to repeal section 2400 of chapter 32, Revised Statutes of 1879, entitled 'Of executions,' and to enact a new section in lieu thereof, to be known as section No. 2400;'"

Also, Senate bill No. 289, "An act to prevent physicians, or pretended physicians, from issuing fraudulent prescriptions in this State."

Senator Allen submitted the following report from the Committee on Corporations other than Railroads and Insurance, which was read:

MR. PRESIDENT: Your Committee on Corporations other than Railroads and Insurance, to whom was referred substitute for House bill No. 565, entitled "An act to amend section 5441 of chapter 98 of

article 5 of the Revised Statutes of Missouri of 1879, as amended by an act approved March 24, 1883," beg leave to report that they have carefully examined the same and recommend that it do pass with the accompanying amendment.

House bill No. 479, entitled "An act to amend an act entitled 'An act to amend section 3176 of article 1 of chapter 47 of the Revised Statutes of Missouri, entitled 'Of liens,' approved March 4, 1885,'" was read third time and failed to pass by the following vote:

AYES—Senators Claycomb, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Webster—17.

NOES—Senators Castleman, Davisson, Gideon, Hazell, Hunter, Johnson of Madison, McGinnis, Proctor, Ryors, Saltonstall and Smith—11.

ABSENT—Senators Allen, Ball, Downing and Moran—4.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

House bill No. 458, entitled "An act to repeal section 818, chapter 21, article 2 of the Revised Statutes of the State of Missouri of 1879, and to enact in lieu thereof a new section, to be known as section 818, relating to railroad companies, and prohibiting the officers and directors thereof from furnishing supplies thereto, and prescribing penalties therefor," was read third time and passed by the following vote:

AYES—Senators Castleman, Claycomb, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—23.

NO—Senator Ketchum.

ABSENT—Senators Allen, Ball, Davisson, Downing, Moran, Proctor, Ryors and Saltonstall—8.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 446, entitled "An act to repeal section 1 of an act entitled 'An act to amend section 1 of an act approved March 24, 1881, entitled 'An act relating to the duties of county clerks and other officers in counties under township organization,' approved March 27, 1883,'" was read third time and passed by the following vote:

AYES—Senators Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin,

McGinnis, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—26.

ABSENT—Senators Allen, Ball, Ketchum, Mackey, Moran and Seebree—6.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

The title was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 492, entitled "An act to amend section 1 of an act entitled 'An act to amend section 1 of an act entitled an act entitled an act making county treasurers *ex officio* county collectors in counties having adopted township organization, and defining his duties, of an act approved March 23, 1881, of an act approved March 27, 1883,'" was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Seebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—31.

ABSENT WITH LEAVE—Senator Ball and Wood—2.

SICK—Senator Harmon.

The title was read and agreed to.

Senator Taggart moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 453, entitled "An act for the relief of the heirs of Morgan Sullivan, deceased, and James Dodds, and to appropriate money therefor," was read third time and passed by the following vote:

AYES—Senators Allen, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Parcher, Proctor, Ryors, Sears, Sheldon, Simrall, Smith, Sparks and Taggart—23.

NOES—Senators Castleman, McGinnis, Saltonstall and Seebree—4.

ABSENT—Senators Ball, Johnson of Montgomery, Moran, Seabourn and Webster—5.

ABSENT WITH LEAVE—Senators Harmon and Wood—2.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

House bill No. 565, entitled "An act to amend section 5441 of chapter 98 of article 5 of the Revised Statutes of Missouri of 1879, 'Of dramshops,' as amended by an act approved March 24, 1883," was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks and Taggart—25.

NO—Senator Saltonstall.

ABSENT—Senators Ball, Gideon, Hunter, Moran, Parcher and Webster—6.

ABSENT WITH LEAVE—Senators Harmon and Wood—2.

The title was read and agreed to.

Senator Allen move to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following communication was received from the Governor :

CITY OF JEFFERSON, March 21, 1887.

SIR : I have the honor to inform the Senate that I have appointed R. M. Scruggs of St. Louis, D. Robert Barclay of St. Louis, Joseph O'Neil of St. Louis, Dr. S. Pollack of St. Louis, John R. Lionberger of St. Louis, William C. Young of Jefferson City, C. B. McAfee of Springfield, W. A. Jacobs of Chillicothe and R. O. Boggess of Kansas City, to the office of trustee of the Missouri School for the Blind, for a term ending February 27, 1889, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

The appointments were confirmed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Webster—28.

ABSENT—Senators Ball, Jacobs, Moran and Ryors—4.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

Senator Castleman offered the following resolution, which was read and adopted :

Resolved by the Senate, the House of Representatives concurring therein, That a joint committee of five, consisting of two Senators, to be appointed by the President of the Senate, and three Representatives, to be appointed by the Speaker of the House, be appointed with instructions to wait upon the Governor and to report to the Governor that the Thirty-fourth General Assembly of the State of Missouri is now about to adjourn at 12 o'clock, noon, of this date, and that the Sen-

ate and House are ready to receive any communication, if any, which the Governor may desire to submit.

The following communication was received from the House of Representatives through the Chief Clerk:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and concurred in the following resolution:

Resolved by the Senate, the House of Representatives concurring therein, That a joint committee of five, consisting of two Senators to be appointed by the president of the Senate, and three Representatives, to be appointed by the Speaker of the House, be appointed with instructions to wait upon and report to the Governor that the Thirty-fourth General Assembly of the State of Missouri is now about to adjourn at 12 o'clock, noon, of this date, and that the Senate and House are ready to receive any communication, if any, which the Governor may desire to submit, and appointed the following committee in accordance therewith: Messrs. Munroe, Lenox and Pachall.

The President appointed Senators Castleman and Jacobs as members of joint committee to wait upon the Governor.

House bill No. 460, entitled "An act to facilitate the collection of statistical data of the productive industries of the State," was read third time and passed by the following vote:

AYES—Senators Allen, Claycomb, Davisson, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Ketchum, Mackey, Mansfield, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks and Taggart—22.

ABSENT—Senators Ball, Castleman, Downing, Gideon, Hunter, Kelly, Kerwin, McGinnis, Moran, and Webster—10.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

The title was read and agreed to.

Senator Sears moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 430, entitled "An act to repeal sections 7050 and 7075 of chapter 150, article 1 of the Revised Statutes of Missouri, 'Of schools,' an act entitled 'An act to amend article 1 of chapter 150 of the Revised Statutes, entitled 'Of schools,' by striking out section 7049 and substituting a new section in lieu thereof, to be numbered section 7049,' approved March 26, 1881, and an act entitled 'An act to amend section 7067, article 1, chapter 150 of the Revised Statutes of 1879, entitled 'Of schools,' approved April 2, 1883, and to enact four new sections in lieu thereof, to be numbered 7049, 7050, 7067 and 7075," was read third time and passed by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Davisson, Downing, Hazell, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks, Taggart and Webster—23.

NO—Senator Ketchum.

ABSENT—Senators Ball, Gideon, Hunter, Jacobs, Moran, Proctor, Ryors and Smith—8.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

The title was read and agreed to.

Senator Sebree moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Johnson of Montgomery offered the following resolution, which was read and adopted :

WHEREAS, The very sudden and serious affliction which befell our brother Senator, the Hon. John P. Harmon, on last Saturday evening during the session of the Senate, and the continuation of such affliction, has cast a feeling of deep sorrow over the hearts of the members of this body ; therefore, be it

Resolved, That as an expression of our sorrow over the affliction of our brother Senator, we hereby tender to the wife and relations our heartfelt sympathy in this hour of their affliction.

Resolved, further, That Senator John P. Harmon by his ability, his earnest devotion to duty and his unvarying courtesy to brother Senators, has earned our highest respect and friendship, and we sincerely trust his illness will be temporary and his health fully restored.

House joint and concurrent resolution No. 2, entitled "Looking toward locking and damming the Osage river," was read third time and passed by the following vote :

AYES—Senators Allen, Castleman, Claycomb, Davisson, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Proctor, Saltonstall, Seabourn, Sheldon, Simrall, Smith and Sparks—21.

NO—Senator Sebree.

ABSENT—Senators Ball, Downing, Gideon, McGinnis, Moran, Parcher, Ryors, Sears, Taggart and Webster—10.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

The title was read and agreed to.

Senator Sheldon moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Downing submitted the following report from the Committee on Judiciary, which was read :

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred House bill No 479, entitled "An act to amend an act entitled 'An act to amend section 3176 of article 1, chapter 47 of the Revised Statutes of Missouri, entitled 'Of liens,' approved March 4, 1885," beg leave to report that they have carefully examined the same and recommend that it do pass.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 469, entitled "An act to provide for the collection of personal taxes;"

Also, House bill No. 448, entitled "An act to providing for police judges in cities of the fourth class;"

Also, House bill No. 268, entitled "An act to amend an act entitled 'An act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' and to repeal section 5623 of said chapter;"

Also, House bill No. 537, entitled "An act to amend section 4 of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 29, 1883, entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 26, 1881;"

Also, House bill No. 208, entitled "An act to authorize the board of regents of Lincoln Institute to sell the institute farm, and to purchase land adjoining said institute;"

Also, House bill No. 369, entitled "An act to amend section 2 of an act to amend section 7417, chapter 159, Revised Statutes of Missouri, approved March 18, 1885, entitled 'Of swine running at large;"

Also, House bill No. 319, entitled "An act to repeal section 7384 of chapter 158 of the Revised Statutes of the State of Missouri for 1879, relating to county surveyors, and enacting a new section in lieu thereof, relating to the same subject, and to be known as section 7384;"

Also, House bill No. 151, entitled "An act to amend section 974 of chapter 21, article 10 of the Revised Statutes of Missouri, entitled of benevolent, religious, scientific, educational and miscellaneous associations, as amended by an act approved February 8, 1881;"

Also, House bill No. 468, entitled "An act providing for back tax books in cities having three hundred thousand inhabitants or more, and prescribing the manner of making the same;"

Also, House bill No. 593, entitled "An act to amend section 982 of article 10, chapter 21 of the Revised Statutes of the State of Missouri;"

Also, House bill No. 674, entitled "An act to make copies of entries in and abstracts of title made from certain abstracts of title to lands in Gentry county, Missouri, known as George C. Holden's abstracts, when

verified by affidavit, *prima facie* evidence of title in all courts and places in this State, and to allow the same to be rebutted by parol or other legal evidence, and to allow the use of any other competent evidence, either written or parol, in lieu of such abstract evidence, fixing a maximum schedule of fees, for furnishing such copies of entries and abstracts of title, providing a penalty for exceeding such schedule of fees, and for failure to furnish such copies or abstracts of title under certain conditions, and making it a felony to falsely alter, destroy, corrupt or falsify any entry in said abstracts of title, or to procure the same to be done, so that the same shall not conform to the original records of Gentry county, as now shown by such abstract of title ;”

Also, House bill No. 265, entitled “An act to establish an institution under the name and style of the State industrial home for girls ;”

Also, House bill No. 419, entitled “An act fixing the number of directors in public boards in certain cities, and providing for election of such directors, and for districting said cities therefor ;”

Also, House bill No. 138, entitled “An act to repeal section 2409 of chapter 32 of the Revised Statutes of the State of Missouri for 1879, in relation to executions, and to enact a new section in lieu thereof, to be known as section 2409 ;”

Also, House bill No. 623, entitled “An act to authorize funding of the debt of counties in certain cases ;”

Also, House bill No. 516, entitled “An act entitled an act to repeal section 7053 of chapter 150, article 1 of the Revised Statutes of Missouri, ‘Of schools,’ to repeal an act entitled act to amend section 7052 of chapter 150, article 1 of the Revised Statutes of Missouri, ‘Of schools,’ approved April 2, 1883, and repeal an act to amend section 7054 of the Revised Statutes of the State of Missouri, in relation to colored schools, approved March 16, 1883, and to enact two new sections in lieu thereof, to be numbered 7052 and 7053,” and announced before the reading of each bill, that unless objection be made, he would sign the same to the end that it become a law. Each bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

Senator Castleman submitted the following report:

MR. PRESIDENT: Your joint committee appointed to wait upon and notify the Governor that the Thirty-fourth General Assembly of the State of Missouri is about to adjourn, and ready to receive any communication he may desire to submit, respectfully report that they have waited upon and are instructed by the Governor to report that he will

submit a communication by his private Secretary to each house of this General Assembly.

House bill No. 162, entitled "An act for the relief of Fitzhugh Collins, and to appropriate money therefor," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks and Taggart—27.

ABSENT—Senators Castleman, Hunter, Jacobs, Parcher and Webster—5.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

The title was read and agreed to.

Senator Allen moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 356, entitled "An act to amend an act entitled 'Inspectors of petroleum,' to amend section No. 5841," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Hunter, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Proctor, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Sparks, Taggart and Webster—22.

NOES—Senators Gideon and Ryors—2.

ABSENT—Senators Castleman, Hazell, Jacobs, Johnson of Montgomery, Mansfield, Parcher, Sears and Smith—8.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

The title was read and agreed to.

Senator Moran moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

The following message was received from the Governor, which was read:

CITY OF JEFFERSON, March 21, 1887.

GENTLEMEN OF THE GENERAL ASSEMBLY: Entertaining a profound conviction that the people of this State, with marked unanimity, desire, and that the peace and welfare of the State demand the enforcement of the mandates of our State Constitution in reference to railways as public highways, and to railroad companies as common carriers; and whatever may be true of the past or of the future, feeling confident that this General Assembly is able and willing to enact conservative, fair, rightful

and strong laws for that purpose; and believing that such legislation has been already delayed too long, and that the subject is of importance so great to the tax-payers as to justify a session at which this matter can be considered, freed from the multitude of conflicting and perplexing questions incident to a regular session, I now give notice that I shall issue a proclamation convening you in extra session, to take action in this matter at as early a day as will enable you gentlemen to attend to those matters of personal concern that have been deferred by reason of your stay here.

Very respectfully,

JOHN S. MARMADUKE.

Senator McGinnis offered the following resolution, which was read and adopted unanimously:

Resolved, That the thanks of the Senate are due in an eminent degree to the Hon. A. P. Morehouse for the uniform courtesy and impartiality with which he has presided over the deliberations of this body.

Senator Moran offered the following resolution, which was read:

Resolved, That it is the sense of this Senate that we profoundly sympathize with the people of Ireland in their efforts to achieve home rule and nationalization.

Senator Parcher offered the following amendment, which was read:

Amend the resolution by congratulating the people of Germany on account of enjoying the 90th birthday of the most distinguished ruler of modern times.

The President announced that all other business would be suspended and directed the Secretary to read at length House bill No. 460, entitled "An act to facilitate the collection of statistical data of the productive industries of the State;"

Also, House bill No. 606, entitled "An act creating a board of police commissioners, and authorizing the appointment of a permanent police force for cities of the second class;"

Also, House bill No. 458, entitled "An act to repeal section 818, chapter 21, article 2 of the Revised Statutes of Missouri of 1879, and to enact in lieu thereof a new section, to be known as section 818, relating to railroad companies, and prohibiting the officers and directors thereof from furnishing supplies thereto, and prescribing penalties therefor;"

Also, House bill No. 446, entitled "An act to repeal section 1 of an act entitled 'An act to amend section 1 of an act approved March 24, 1881, entitled an act relating to the duties of county clerks and other officers in counties under township organization,' approved March 27, 1883;"

Also, House bill No. 162, entitled "An act for the relief of Fitzhugh Collins, and to appropriate money therefor ;"

Also, substitute for House bill No. 565, entitled "An act to amend section 5441 of chapter 98 of article 5 of the Revised Statutes of Missouri of 1879, 'Of dramshops,' as amended by an act approved March 24, 1883 ;"

Also, House bill No. 492, entitled "An act to amend section 1 of an act entitled an act to amend section 1 of an act entitled an act entitled an act making county treasurers *ex officio* county collectors in counties having adopted township organization, and defining his duties, of an act approved March 23, 1881, of an act approved March 27, 1883 ;"

Also, House joint and concurrent resolution No. 2, entitled "Joint and concurrent resolution looking toward locking and damming the Osage river :"

Also, House bill No. 430, entitled "An act to repeal sections 7050 and 7075 of chapter 150, article 1 of the Revised Statutes of Missouri, 'Of schools,' an act entitled 'An act to amend article 1 of chapter 150 of the Revised Statutes, entitled 'Of schools,' by striking out section 7049 and substituting a new section in lieu thereof, to be numbered section 7049, approved March 26, 1881,' and an act entitled 'An act to amend section 7067, article 1, chapter 150 of the Revised Statutes of 1879, entitled 'Of schools,' approved April 2, 1883,' and to enact four new sections in lieu thereof, to be numbered 7049, 7050, 7067 and 7075 ;"

Also, House bill No. 707, entitled "An act to appropriate money for the support of the State government for the years 1887 and 1888 ;"

Also, House bill No. 356, entitled "An act to amend an act entitled 'Inspectors of petroleum,' to amend section No. 5481 ;"

Also, substitute for House bills Nos. 16, 230, 360 and 405, entitled "An act to repeal an act entitled 'An act to revise and amend the general laws in relation to roads and highways, and providing for establishing, opening, repairing and vacating the same,' approved March 31, 1883, and to enact a new law in lieu thereof," and announced before the reading of each bill that unless objection be made, he would sign the same to the end that it become a law. Each bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

Senator Ryors offered the following resolution, which was read and adopted :

Resolved, That by his unvarying courtesy, strict attention to business and stern determination to understand and enforce the rules of this body while occupying the chair as President *pro tem.*, Senator Ball

has merited the thanks of this body, and especially of the minority party.

The following House amendment to Senate bill No. 14 was taken up:

Amend section 2 of Senate bill No. 14 by striking out the word "shall," where it occurs in the 10th, 13th and 18th lines of said section, and insert in lieu thereof the word "may," and was concurred in by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Sparks and Taggart—26.

ABSENT—Senators Castleman, Sears, Sheldon, Simrall, Smith and Webster—6.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

Senator McGinnis offered the following resolution, which was read and adopted:

Resolved, That the thanks of this body are due to P. P. Ellis, Esq., for the extraordinary accuracy and promptitude which have characterized his work as chief clerk of the Committee on Engrossment and Printing, resulting, as it has, in the engrossment of every bill ordered engrossed, without the occurrence of a single mistake.

Senator Downing offered the following resolution, which was read and adopted:

Resolved, That the thanks of the Senate be tendered Rev. Vandever for the fervency and zeal exhibited in the discharge of his duties.

Senator Hunter moved to reconsider the vote by which House bill No. 479 failed to pass. The motion was agreed to by the following vote:

AYES—Senators Ball, Claycomb, Downing, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Sears, Sebree, Sheldon, Taggart and Webster—15.

NOES—Senators Castleman, Gideon, Hazell, Johnson of Madison, Ketchum, McGinnis, Parcher, Ryors, Simrall, Smith and Sparks—11.

ABSENT—Senators Allen, Davisson, Moran, Proctor, Saltonstall and Seabourn—6.

ABSENT WITH LEAVE—Senator Wood.

SICK—Senator Harmon.

House bill No. 479 was again put upon its passage and failed to pass by the following vote:

AYES—Senators Claycomb, Downing, Hunter, Jacobs, Johnson

of Montgomery, Kelly, Kerwin, Ketchum, Mackey, Mansfield, Sears, Sebree, Sheldon, Taggart and Webster—15.

NOES—Senators Ball, Castleman, Gideon, Hazell, Johnson of Madison, McGinnis, Parcher, Ryors, Simrall, Smith and Sparks—11.

ABSENT—Senators Allen, Davisson, Moran, Proctor, Saltonstall and Seabourn—6.

ABSENT WITH LEAVE—Senators Harmon and Wood—2.

Senator Gideon offered the following resolution, which was read and adopted :

Resolved, That the thanks of the Senate are hereby tendered to the Secretary, A. S. Coker, Assistant Secretary H. L. Gray, and the staff of the Secretary for the efficient, courteous, able and prompt manner in which the business of the Senate has been discharged.

Senator McGinniss offered the following resolution, which was read and adopted :

Resolved, That the thanks of his constituents are due to the honorable Senator from Jackson for his able, industrious and pertinacious labors in their behalf during the session.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 146, entitled "An act repealing an act entitled 'An act providing for a State Veterinary Surgeon, defining his duties and fixing his compensation,' session acts of 1885, and enacting a new act in lieu thereof, entitled 'An act providing for the appointment of a State Veterinary Surgeon, defining his duties and fixing his compensation;'"

Also, Senate bill, No. 343, entitled "An act concerning mutual savings, fund, loan and building associations;"

Also, substitute for Senate bill No. 173, entitled "An act to amend section twenty-eight hundred and three (2803), article one (1), chapter forty-four (44) of the Revised Statutes of the State of Missouri, so as to entitle cities of over one hundred thousand inhabitants or more, two justices of the peace in addition to the number allowed by law to the township in which such town may be;"

Also, Senate bill No. 185, entitled "An act to ascertain the population of any county in this State, and adjust the salaries of certain officers;"

Also, Senate bill No. 313, entitled "An act enabling the State to light its public buildings and grounds located at the City of Jefferson with electric lights;"

Also, Senate bill No. 215, entitled "An act to provide for service of process in proceedings to contest corporate elections;"

Also, Senate bill No. 223, entitled "An act relating to cities of the second class:"

Also, Senate bill No. 3, entitled "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor'"

Also, Senate bill No. 35, entitled "An act to repeal sections 7144, 7145 and 7146 of article 2, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof;"

Also, Senate bill No. 14, entitled "An act authorizing county courts in counties now containing or that may hereafter contain one or more graded roads, to macadamize the same, and providing the manner of doing such work;"

Also, Senate bill No. 155, entitled "An act to amend section forty-six of an act entitled 'Roads, highways and bridges under township organization, approved March 29, 1883;'"

Also, Senate bill No. 165;

Also, Senate bill No. 228, entitled "An act to amend section 3376 of chapter 56 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of partition,' by adding to said section the three following sentences, to wit: 'If the sheriff shall, before execution and acknowledgment of the deed to the purchaser, die, or be removed from office, or remove from the county where the land is situate, then the court, having jurisdiction of the cause wherein partition was adjudged, shall, on the application of the purchaser, order the successor of the sheriff making the sale, in office at the time of making such application, to execute and acknowledge the deed to the purchaser, and such successor is hereby fully empowered to do so, and the deed executed and acknowledged by such successor shall have the same force and effect in law and equity as though executed and acknowledged by the sheriff making the sale. If, after confirmation of the report of sale of any real estate sold under the provisions of this chapter, and before execution and acknowledgment of the deed therefor by the sheriff to the purchaser, the purchaser shall sell and assign his whole interest in the lands purchased by him, then the court having jurisdiction of the cause wherein partition was adjudged, shall, on application of the assignee and the production of unequivocal proof of the fact of the sale and assignment, order the sheriff, or his successor in office at the time of such application, to execute and acknowledge the deed to such assignee, and the sheriff, or his said successor, is hereby fully empowered to do so, and the deed so executed and acknowledged shall have the same force and effect in law and equity as though exe

cuted and acknowledged by the sheriff to the original purchaser. If, in case of the sale of any lands under the provisions of this chapter, the purchaser shall die before the execution and acknowledgment of the deed therefor, the court having jurisdiction of the cause wherein the partition was adjudged, shall, on proof of the fact of the purchaser's death, submitted by his widow and heirs, or any or either of them, or by his executor or administrator, order the sheriff making the sale, or his successor, at the time such proof is submitted, to execute and acknowledge the deed to the heirs of decedent, subject to the dower interest therein of his widow, if there be one, and such deed shall be executed and acknowledged by the sheriff or such successor accordingly,' so that said section 3376, as amended, shall read as in the body of this act appears;”

Also, Senate bill No. 289, entitled “An act to prevent physicians, or pretended physicians, from issuing fraudulent prescriptions in this State;”

Also, Senate bill No. 252, entitled “An act to amend section 5415 of chapter 96 of the Revised Statutes of the State of Missouri, entitled ‘Of ditches and drains;’”

Also, Senate bill No. 258, entitled “An act to amend section 1 of an act entitled ‘An act to amend section 13 of an act entitled ‘An act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof,’ approved February 2, 1871;’ changing the time of holding court, and providing for changes of venue in said county, approved February 8, 1872;”

Also, Senate bill No. 265, entitled “An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of one hundred and fifty thousand inhabitants or more, and providing for their compensation;”

Also, Senate bill No. 47, entitled “An act entitled an act to enable the council of any incorporated town or city in this State having a special charter and containing ten thousand inhabitants or less, to cause the owner, owners or occupiers of property or lots on any alley or street in said town or city to build and repair sidewalks adjacent to said property or lot, and in default of so doing on the part of said owner, owners or occupiers thereof, to enable such town or city council to build and repair any sidewalk, and make the costs and expense thereof a lien on the property or lot adjacent to said sidewalk so built or repaired, and to fix the compensation of the mayor of such town or city and the councilmen thereof, and to provide for the appointment of a constable and fix his salary, and such policemen as may be necessary, and to fix the compensation of such policemen and of the councilmen of such town or city, and to provide for the appointment and compensation of a street and sidewalk overseer;”

Also, Senate bill No. 209, entitled "An act to prohibit railroad companies, corporations or individuals owning, operating or managing any railroad in the State of Missouri, from consolidating the stock, property or franchises of such company, corporation or individual or from leasing, purchasing or in any other manner acquiring an interest in the works or franchises of, or in any way whatever to any degree exercising control over any railroad company, corporation or individual owning, operating, or having under his or their control or management, a parallel or competing line in this State, and to prescribe penalties therefor, and the means of enforcing the provisions of this act, and to repeal all acts or parts of acts in conflict or inconsistent herewith ;"

Also, Senate bill No. 95, entitled "An act appropriating money to properly equip the State Agricultural College and Farm of Missouri ;"

Also, Senate bill No. 81, entitled "An act to regulate appeals to the circuit court from township boards and courts inferior to the circuit court in counties having fifty thousand inhabitants or less ;"

Also, Senate bill No. 171, entitled "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, by adding a new section thereto, to be known as section 12a ;"

Also, Senate bill No. 141, entitled "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled, 'Fees ;'"

Also, Senate bill No. 284, entitled "An act concerning mutual saving societies ;"

Also, Senate bill No. 343, entitled "An act concerning mutual savings fund, loan and building associations," and announced before the reading of each bill that unless objection be made he would sign the same to the end that it become a law. Each bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. They were then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Jacobs offered the following resolution, which was read and adopted :

Resolved, That the thanks of this body be tendered to the door-keeper of the Senate for his faithful attention to the duties of his office, and for his uniform courtesy to the members of the Senate.

Senator Kerwin offered the following resolution, which was read and adopted :

Resolved, That the thanks of the Senate be and it is hereby tendered to the several ladies that graced the Senate chamber by their presence during the deliberations of this General Assembly.

Senator Gideon offered the following resolution, which was read and adopted:

Resolved, That the thanks of this Senate is hereby tendered to A. F. Love, chief enrolling clerk of the Senate, and his assistants, for the prompt manner in which they have discharged their duties.

Senator Castleman offered the following resolution, which was read and adopted:

Resolved, That 3,600 of engrossed Senate bill 293 be printed for information under supervision of the Secretary of the Senate, 100 for each member of Senate and 200 for Lieutenant-Governor, and that the Secretary be instructed to forward the same by mail to each Senator and to the Lieutenant-Governor, and that expenses thereof be paid as contingent expenses of the Senate.

The time fixed for the adjournment having arrived, to wit: 12 o'clock, the President announced that the Senate of the Thirty-fourth General Assembly of Missouri was now adjourned *sine die*.

ALBERT P. MOREHOUSE,
Lieutenant Governor and President of the Senate.

SUPPLEMENT.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 22, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to return to you with my approval endorsed thereon, bills which originated in the Senate, and were presented to me within the ten days next preceding the adjournment of the General Assembly, to wit :

Senate bill No. 171 of the following title: "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, by adding a new section thereto, to be known as section 12a;"

Also, Senate bill No. 302, of the following title: "An act authorizing county collectors to pay into the county treasury, pending litigation, money in their hands claimed by both the State and county or municipal townships;"

Also, Senate bill No. 3, of the following title: "An act to repeal an act entitled 'An act to provide for the location and building of a penitentiary, to be known as Missouri Penitentiary No. 2, and to appropriate money therefor;'"

Also, Senate bill No. 185, of the following title: "An act to ascertain the population of any county in this State, and to adjust the salaries of certain officers;"

Also, Senate bill No. 206, of the following title: "An act to pay the county of McDonald school moneys improperly withheld from it for the year 1875."

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 22, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to return to you, with my approval endorsed thereon, bills which originated in the House of Representatives and were presented to me within the ten days next preceding the adjournment of the General Assembly, to wit:

House bill No. 269, of the following title: "An act to amend section 7153, chapter 150, article 2 of the Revised Statutes of the State of Missouri, concerning city, town and village schools;"

Also, House bill No. 26, of the following title: "An act limiting the time for the institution of suits for dower in real estate;"

Also, House bill No. 63, of the following title: "An act to prevent county commissioners of public schools from granting certificates without first having examined the applicant in the branches required by law to be taught in the public schools;"

Also, House bill No. 155, of the following title: "An act to amend section 3705, article 10, chapter 59, entitled 'Of practice in civil cases;'"

Also, House bill No. 179, of the following title: "An act for the relief of Francis Bracklein;"

Also, House bill No. 214, of the following title: "An act to amend an act entitled 'An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri, 1879, entitled 'Of cities, towns and villages,' by adding thereto one new section, to be known as section No. 5003½, relating to the police regulations of cities of the fourth class, approved March 14, 1885;"

Also, House bill No. 278, of the following title: "An act to prohibit the keeping of any house, room or place to be used for the purpose of smoking opium or any other deadly drug, and providing a penalty therefor;"

Also, House bill No. 679, of the following title: "An act to make T. O. Tucker's abstracts of land titles in Douglas county, or certified copies of the entries therein, evidence in all courts and places in this State;"

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 23, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to transmit to you, with my approval endorsed thereon, a bill which originated in the Senate, and was pre-

sented to me within the ten days next preceding the adjournment of the General Assembly, with the following number and title:

No. 104. "An act to repeal an act entitled 'An act relating to the shipment of live stock, grain and other articles,' approved March 12, 1881; also, an act entitled 'An act to amend section 2 of an act entitled an act relating to the shipment of live stock, grain and other articles of trade,' approved March 22, 1883; also, an act entitled 'An act to repeal section 3 of an act relating to the shipment of live stock, grain and other articles of trade,' approved March 31, 1885, and to enact an act in lieu of said acts."

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 23, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to transmit to you, with my approval endorsed thereon, bills which originated in the House of Representatives, and were presented to me within the ten days next preceding the adjournment of the General Assembly, with the following numbers and titles:

No. 85. "An act to prevent the use of any substitute for hops or pure extract of hops in the manufacture of ale or beer, and to preserve the public health;"

No. 100. "An act to amend section 12 of an act entitled 'An act concerning the reporting and publishing of opinions of the Supreme Court and courts of appeals, and providing for the distribution and sale thereof,' approved March 31, 1885, by inserting certain words and adding others;"

No. 311. "An act to amend section 4350, chapter 87, article 1 of the Revised Statutes of the State of Missouri, relating to herding cattle by non-residents."

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT,
CITY OF JEFFERSON, March 24, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to transmit to you, with my approval endorsed thereon, bills which originated in the House of Representatives, and were presented to me within the ten days next preceding the adjournment of the General Assembly, with the following numbers and titles:

No. 107. "An act to amend sections 7148 and 7152 of article 2, chapter 150 of the Revised Statutes of the State of Missouri, entitled 'Of schools;'"

No. 138. "An act to repeal section 2409 of chapter 32 of the Revised Statutes of the State of Missouri for 1879, in relation to executions, and to enact in lieu thereof a new section, to be known as section 2409;"

No. 162. "An act for the relief of Fitzhugh Collins, and to appropriate money therefor;"

No. 197. "An act to amend section 5021, article 6, chapter 89 of the Revised Statutes of Missouri, entitled 'Of cities, towns and villages;'"

No. 199. "An act for the protection of the owner or keeper of stallions, jacks and bulls, and to prevent fraudulent pedigrees;"

No. 222. "An act to amend section six thousand six hundred and seventy-one, and six thousand six hundred and seventy-three of the Revised Statutes of Missouri, relating to boards of equalization;"

No. 291. "An act to amend article 3, chapter 150 of the Revised Statutes of Missouri, entitled 'Of Normal schools,' by adding a new section thereto, to be numbered section 7179a;"

No. 319. "An act to repeal section 7384 of chapter 153 of the Revised Statutes of the State of Missouri for 1879, relating to county surveyors, and enacting a new section in lieu thereof and relating to the same subject, and to be known as section 7384;"

No. 397. "An act to amend article 5 of chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' by adding a new section thereto, to be known as section 5003a;"

No. 399. "An act to amend section 2695, chapter 39, Revised Statutes, 1879, entitled 'Of homesteads,' by adding thereto;"

No. 410. "An act to amend an act entitled 'An act to provide for the recording of conveyances in case of destruction of the record thereof, approved March 18, 1885;'"

No. 484. "An act to amend an act entitled 'An act to amend section 2953, article 6, chapter 44, Revised Statutes of Missouri of 1879, entitled 'Of justices courts,' approved March 24, 1885;"

No. 596. "An act to amend section 4 of the acts of 1883, approved March 24, 1883, entitled 'An act to repeal sections 1115 and 1128 of article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' and to repeal an act entitled 'An act to amend section 1145, article 3 of chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' approved March 18, 1881, and to repeal an act entitled 'An act to amend section 1157, chapter 23, article 4 of the Revised Statutes of the State of Missouri, in relation to courts of record, approved March 26, 1881, and to repeal section 1 of an act entitled 'An act to amend sections 1127, 1135 and 1165 of the Revised Statutes, concerning circuit courts, and attaching the county of Taney to the twenty-first judicial circuit,' approved March 24, 1881, and to enact new sections in lieu of the sections and acts hereby repealed, and to amend an act entitled 'An act to amend section 1158, article 4, chapter 23 of the Revised Statutes of Missouri, 'Of courts of record,' approved March 11, 1881, "

No. 537. "An act to amend section 4 of an act entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 29, 1883, entitled 'An act to regulate the sale of medicines and poisons by druggists and pharmacists,' approved March 26, 1885; "

No. 460. "An act to facilitate the collection of statistical data of the productive industries of the State; "

No. 716. "An act to amend an act entitled an act to amend section one thousand one hundred and forty-eight of the Revised Statutes of the State of Missouri, in relation to courts of record, approved February 19, 1885; "

No. 530. "An act to amend an act entitled 'An act to amend section 1154 of article 4, chapter 23 of the Revised Statutes of 1879, entitled 'Courts of record,' changing the time of holding courts in Pemiscot and Mississippi counties,' approved February 26, 1885; "

No. 457. "An act to amend section 1158 of article 4, chapter 23 of the General Statutes of 1879, entitled 'Of courts of record,' as amended by an act approved March 24, 1883; "

No. 268. "An act to amend an act entitled an act to amend section 5622 of chapter 103 of the Revised Statutes of Missouri of 1879, entitled 'Of fees,' and to repeal section 5623 of said chapter; "

No. 15. "An act to amend section 2931 of article 6 of chapter 44 of the Revised Statutes of Missouri, entitled 'Of justices courts.' "

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 24, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to transmit to you, with my approval endorsed thereon, bills which originated in the Senate, and were presented to me within the ten days next preceding the adjournment of the General Assembly, with the following numbers and titles:

No. 33. "An act to amend section 1367 of article three of chapter 24 of the Revised Statutes of Missouri, entitled 'Of crimes and criminal procedure and offenses against public and private property;'"

No. 50. "An act to repeal section 5365 of article 4, chapter 95 of the Revised Statutes of Missouri, entitled 'Organization of counties;'"

No. 62. "An act to repeal section 6334, chapter 129 of the Revised Statutes of Missouri of 1879, entitled 'Of merchants' licenses,' and to enact a new section in lieu thereof;'"

No. 81. "An act to regulate appeals to the circuit court from township boards;'"

No. 84. "An act to furnish the counties in this State whose reports have been destroyed by fire, the Supreme Court and the court of appeal reports from volume 16; also, the Revised Statutes of 1879, and session laws of 1881, 1883 and 1885;'"

No. 138. "An act to amend section 1550 of article 8 of chapter 24 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of crimes and criminal procedure.'"

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 24, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to transmit to you, with my approval endorsed thereon, bills which originated in the Senate and were presented to me within the ten days next preceding the adjournment of the General Assembly, of the following numbers and titles:

No. 165. "An act to repeal section 2400, chapter 32, Revised Statutes of 1879, entitled 'Of executions,' and to enact a new section in lieu thereof, to be known as section No. 2400;'"

No. 163. "An act to repeal section 5019, article 6, chapter 89 of the Revised Statutes of Missouri of 1879, entitled 'Of cities, towns and vil-

lages,' and to enact seventeen new sections in lieu thereof, to be known and designated as sections 5019, 5019*a*, 5019*b*, 5019*c*, 5019*d*, 5019*e*, 5019*f*, 5019*g*, 5019*h*, 5019*i*, 5019*j*, 5019*k*, 5019*l*, 5019*m*, 5019*n*, 5019*o*, 5019*p*;"

No. 168. "An act to place the streets and alleys in unincorporated towns and villages under the control of the county courts and road overseers;"

No. 186. "An act to amend section 5148 of chapter 93 of the Revised Statutes of Missouri, entitled 'Of coroners and inquests,' by striking out certain words therefrom;"

No. 201. "An act to amend chapter 18, Revised Statutes, 1879, of Missouri, entitled 'Of constables,' by adding a new section thereto, to be known as section 650*a*;"

No. 203. "An act to repeal section 1 of the session acts of 1883, repealing section 1171, article 4, chapter 23 of the Revised Statutes of Missouri, concerning courts of record, approved April 2, 1883, and to enact a new section in lieu thereof, prescribing the time of holding terms of court in the 27th judicial circuit;"

No. 221. "An act to amend section one thousand and seventy-seven (1077), article two (2), chapter twenty-three (23) of the Revised Statutes of 1879, relating to the Supreme Court;"

No. 226. "An act to amend section 1851, article 17 of chapter 24 of the Revised Statutes of Missouri, entitled 'Proceedings before trial;"

No. 339. "An act to amend an act entitled an act to amend an act entitled 'An act to amend section 1155, article 4, chapter 23 of the Revised Statutes of Missouri, entitled 'Circuit courts,' approved March 18, 1885;"

No. 247. "An act entitled an act to amend section 5032 of the Revised Statutes of Missouri, entitled 'Of villages;"

No. 289. "An act to prevent physicians, or pretended physicians, from issuing fraudulent prescriptions in this State;"

No. 301. "An act to amend chapter 167 of the Revised Statutes of Missouri of 1879, entitled 'Of weights and measures,' by adding a new section thereto, to be known as section 7668*a*, relating to flour sold in packages, and providing a penalty for the violation thereof;"

No. 305. "An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees;"

No. 313. "An act enabling the State to light its public buildings and grounds located at the City of Jefferson with electric lights;"

No. 358. "An act to authorize cities and towns heretofore incorporated under special charters, to license, tax and regulate billiard, pool, shuffle board, bagatelle, pigeon hole and other tables."

Very respectfully,

EXECUTIVE DEPARTMENT. }
CITY OF JEFFERSON, March 26, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to transmit to you a bill which originated in the Senate, entitled "An act to provide for the refunding and payment of the State debt, and to repeal chapter 153 and sections 7551, 7552, 7624, 7625, 7626, 7627, 7628, 7629, 7630, 7631, 7632, 7633, 7634 and 7635 of article 1 of chapter 164 of the Revised Statutes of Missouri," which was presented to me within the ten days next preceding the adjournment of the General Assembly, without my approval.

The ability of the State to pay her debts—her bonds—depends upon her natural and acquired resources. These are ample. The guarantee that she will pay principal and interest without vexation or delay to her creditors, is found in the excellent provisions of her Constitution and statutes on this subject, and the hitherto prompt and faithful execution of these laws by those entrusted with the duty.

Her credit depends upon the opinion financiers and monied men entertain touching these two points. That this opinion is now very favorable to our State in both particulars, is conclusively shown by the recent sale of bonds. That it is of the utmost importance to our State that this good opinion continue, needs no argument. If any action of questionable constitutionality of doubtful propriety be taken by the General Assembly touching the management of our State bonded debt, it is sure to disturb this opinion and lower the State's credit. Hence it follows that no law affecting this matter should be enacted that is not absolutely and plainly free from such doubts. The one proposed in the bill under consideration is, I think, clearly open to objection both as of uncertain constitutionality and of doubtful propriety.

Section 2 provides "That the State Auditor shall certify to the State Board of Equalization, at the biennial meeting thereof, the amount of money required to pay the interest on the State indebtedness, and two hundred and fifty thousand dollars of the principal thereof each year for the two years next following such meeting, and after the completion of the equalization of the assessments the said board shall determine the rate of taxation required thereon each year for the two years next following said meeting to provide said moneys. The said board shall certify to the State Auditor the rate so determined, and he shall immediately certify the same to the county clerk of each county and to the president of the board of assessors of the city of St. Louis, and they shall extend the same upon the tax books at the same time and in the same manner as other State taxes."

Whence, it appears that this bill entirely changes the manner of

determining what rate of taxation is needed for the State interest and sinking funds, and places the determination of that fact in the control of an entirely different body of men and entirely out of the hands of the General Assembly.

I doubt the constitutionality of such a delegation of authority with reference to taxation for State purposes (see section 1, article 10 of Constitution). But aside from the constitutional difficulty, no sufficient reason suggests itself for this change in the manner of fixing this the first and probably the most important step in providing for the prompt payment of the annual interest and \$250,000 of the principal: namely, a sufficient rate of taxation for those purposes to insure enough money shall be collected. The Board of Equalization meets no oftener than the General Assembly, has no information before it that is not equally available to the General Assembly and does not meet at so good a season of the year for this purpose. The last fact is shown in the next section of the bill, which provides that because the said board does not meet until 1888, the rate for 1887 is fixed in the bill.

Section 5 provides for the selection of a fiscal agent of the State in substantially the same manner that such agent is now chosen; but places no additional safeguards about the money put in the custody of such agent. The 6th, 7th and part of the 8th sections read as follows:

Section 6. That fifteen days prior to the maturity of any maturing or called bonds, or any interest payable at such fiscal agency, the State Auditor shall certify to the State Treasurer the amount thereof and the date of maturity, and the State Treasurer shall immediately transfer to such fiscal agency the amount of money so certified by the Auditor, charging said fiscal agency therewith.

Section 7. That it shall be the duty of said fiscal agency to receive such moneys and place it on deposit to the credit of the State Treasurer, immediately receipting him therefor. With moneys so placed on deposit it shall pay all interest due, and all matured or called bonds of the State whenever presented, and all bonds and coupons so paid, it shall cancel by stamping payment and the date of payment thereon. As often as at least once in each month, the said fiscal agency shall transmit to the State Auditor all bonds and coupons so paid and canceled, together with a detailed invoice thereof.

Section 8. That whenever the State Auditor shall receive an invoice of bonds or coupons from said fiscal agency, he shall carefully examine the same and certify the correctness of the invoice thereof. When he shall have found the invoice true and correct, or shall have corrected the same, he shall file it as a voucher in his office, and draw his warrant on the State Treasurer, who thereupon shall credit the fiscal agency with the amount thereof.

Such are the provisions of this bill for the payments by the State Treasurer of the interest and the matured or called bonds; and in my opinion they are plainly in violation of section 15, article 10 of the Constitution, which reads: "All moneys now, or at any time hereafter, in the State treasury belonging to the State, shall, immediately on receipt thereof, be deposited by the Treasurer to the credit of the State for the benefit of the funds to which they respectively belong, in such bank or banks as he may, from time to time, with the approval of the Governor and Attorney General, select, the said bank or banks giving security satisfactory to the Governor and Attorney General for the safe keeping and payment of such deposits, when demanded by the State Treasurer on his checks—such bank to pay a bonus for the use of such deposits, not less than the bonus paid by other banks for similar deposits; and the same, together with such interest and profits as may accrue thereon, shall be disbursed by said Treasurer for the purposes of the State, according to law, *upon warrants drawn by the State Auditor, and not otherwise.*" Notice that the bank referred to in the foregoing section of the Constitution is that one which gives security for the safe keeping of the money and pays interest on such money; and is not the fiscal agency referred to in the bill—which gives no security and is paid for its services. A "transfer" from such bank (at present the Bank of Commerce of St. Louis) to the fiscal agency (at present the Bank of Commerce of New York) such as is provided for in section 6 of this bill, would be a disbursement of the State's moneys such as can only be done "upon warrants drawn by the State Auditor, and not otherwise."

By sections 7 and 8 no provision is made for the drawing of such warrants by the Auditor until after the money has been paid by the fiscal agent (to whom it has been sent without a warrant) to the owner of the bond or coupon.

The provisions of this bill just discussed are an essential feature of it. Without them the bill would be inoperative. They being unconstitutional, the bill would fail of its purpose. The first part of section 9 reads: "That in case it shall occur in any year that any bonds which the State has the right to call in, can be refunded at lower rates of interest, the State Auditor shall cause to be prepared funding bonds of the State sufficient in amount to meet such bonds subject to call."

And section 10 reads: "That whenever any bonds which the State has the right to call in can be refunded at less rates of interest than that which they bear, the State Treasurer shall call in such bonds by public advertisement for thirty days," etc.

And sections 11, 12 and 13 provide the process of refunding such called bonds.

These provisions with reference to renewal of these called bonds at a lower rate of interest are clearly in violation of section 44, article 4 of the Constitution, which reads: "The General Assembly shall have no power to contract or authorize the contracting of any debt or liability on behalf of this State, or to issue bonds or other evidences of indebtedness thereof, except in the following cases: First, in renewal of existing bonds when they cannot be paid at maturity out of the sinking fund or other resources."

The second and third cases both provide for an "unforeseen emergency." Section 13 of the bill provides that all the proceeds of any sale of bonds for the purpose of paying off matured or called bonds shall be paid into the treasury and the Treasurer charged therewith by the Auditor. Between the present time and December 31st, 1888, such proceeds under this bill would amount to \$4,575,000. Under section 19, article 10 of Constitution, after money is once in the State treasury it can only be paid out "in pursuance of an appropriation by law."

The appropriation for the use of the sinking fund for the years 1887 and 1888 is only \$2,500,000; whence it appears that under this bill \$2,000,000 would have to be paid out of the treasury without an appropriation, or the State be a defaulter to that extent before the end of the year 1888.

Entertaining these opinions of both the validity and utility of the bill, I cannot consent to approve it.

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 28, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to transmit to you, with my approval, endorsed thereon, bills which originated in the House of Representatives and were presented to me within the ten days next preceding the adjournment of the General Assembly, of the following numbers and titles:

No. 76. "An act to restrict the legislative authority of incorporated towns and cities in regard to granting franchises for using the streets and alleys of incorporated towns and cities of this State for elevated, underground and other street railway purposes, and to provide

for the payment of damages caused by the construction and operation, thereof;

No. 126. "An act to repeal an act entitled 'An act confirming certain powers to the citizens of St. Louis county,' approved March 4, 1857."

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 30, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to transmit to you, with my approval endorsed thereon, bills which originated in the Senate and were presented to me within the ten days next preceding the adjournment of the General Assembly, of the following numbers and titles:

No. 14. "An act authorizing county courts in counties now containing or that may hereafter contain 75,000 inhabitants or more, and in which there are now or may hereafter be one or more graded roads, to macadamize the same; and providing the manner of doing such work;"

No. 47. "An act to enable cities and towns operating under special charters, and containing ten thousand inhabitants or less, to cause the owners of property and lots to build and repair sidewalks and enforce the same as a lien on the property, and to provide by ordinance for the appointment of constable and street and sidewalk commissioner;"

No. 102. "An act to repeal section 1881 of chapter 24, article 27, Revised Statutes of Missouri of 1879, in relation to changes of venue in criminal cases, and to enact a new section in lieu thereof relating to the same subject;"

No. 141. "An act to amend section 5596, chapter 103 of the Revised Statutes of the State of Missouri of 1879, entitled 'Fees;'"

No. 162. "An act to repeal section 5018, article 6, chapter 89 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of cities, towns and villages,' and to enact four new sections in lieu thereof, to be known as sections 5018, 5018a, 5018b, and 5018c;"

No. 173. "An act to amend section twenty-eight hundred and three, article one, chapter forty-four of the Revised Statutes of the State of Missouri of 1879, so as to entitle cities of one hundred thousand inhabitants or more, three justices of the peace in addition to the number allowed by law to the township in which such city may be;"

No. 193. "An act to repeal an act entitled an act to amend section 5627 of chapter 103 of the Revised Statutes of Missouri, entitled 'Of fees,' approved March 21, 1883, and to enact a new section in lieu thereof;"

No. 209. "An act to prohibit railroad companies, corporations or individuals owning, operating or managing any railroad in the State of Missouri, from consolidating the stock, property or franchises of such company, corporation or individual, or from leasing, purchasing or in any other manner acquiring an interest in the works or franchises of, or in any way whatever to any degree exercising control over any railroad company, corporation or individual owning, operating, or having under his or their control or management, a parallel or competing line in this State, and to prescribe penalties therefor, and the means of enforcing the provisions of this act, and to repeal all acts or parts of acts in conflict or inconsistent herewith;"

No. 223. "An act relating to cities of the second class;"

No. 228. "An act to amend section 3376 of chapter 56 of the Revised Statutes of the State of Missouri of the year 1879, entitled 'Of partition,' by adding to said section three sentences;"

No. 311. "An act to provide for the election or appointment of sheriff in any county whenever any vacancy may occur nine months prior to the holding of a general election;"

No. 325. "An act to authorize the county court of Wright county to relieve James A. Tate, treasurer of said county, from the payment of money stolen and belonging to said county."

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT }
CITY OF JEFFERSON, March 30, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to transmit to you, with my approval endorsed thereon, bills which originated in the House of Representatives and were presented to me within the ten days next preceding the adjournment of the General Assembly, of the following numbers and titles:

Substitute for Nos. 16, 230, 360 and 405. "An act to repeal an act entitled 'An act to revise and amend the general laws in relation to roads and highways, and providing for establishing, opening, repairing and vacating the same,' approved March 31, 1883, and to enact a new law in lieu thereof;"

No. 29, entitled "An act to repeal an act entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of the same,' approved March 23, 1881; also, an act entitled 'An act to amend section one (1) of the acts of 1881, entitled 'An act providing for the health and safety of persons employed in coal mines, and providing for the inspection of the same,' approved March 20, 1885; also, to enact 'An act to provide for the health and safety of persons employed in mines, and providing for the inspection of the same;'"

No. 84. "An act to provide for locating and erecting a State reform school for boys, and to appropriate money therefor;"

No. 177. "An act to provide for the funding of county and township bonds;"

No. 265. "An act to establish an institution under the name and style of the State industrial home for girls;"

No. 208. "An act to authorize the board of regents of Lincoln Institute to sell the institute farm, and to purchase land adjoining said institute;"

No. 285. "An act to repeal article 4 of chapter 89 of the Revised Statutes of Missouri of 1879, with all amendments thereof, said article being entitled 'Cities of the third class,' and to enact in lieu thereof a new article, providing for the government of cities of the third class;"

No. 369. "An act to amend an act entitled 'An act to restrain domestic animals from running at large,' approved March 27, 1883, by adding two new sections thereto, to be known as sections 13 and 14;"

No. 385. "An act to provide for the incorporation and regulation of associations, societies or companies doing a life and casualty insurance business on the assessment plan;"

No. 419. "An act fixing the number of directors in public school boards in certain cities, and providing for election of such directors, and for districting said cities therefor;"

No. 448. "An act providing for police judges in cities of the fourth class;"

No. 458. "An act to repeal section 818, chapter 21, article 2, Revised Statutes of the State of Missouri of 1879, and to enact in lieu thereof a new section, to be known as section 818, relating to railroad companies, and prohibiting the officers and directors thereof from furnishing supplies thereto, and prescribing penalties therefor;"

No. 468. "An act providing for back tax books in cities having three hundred thousand inhabitants or more, and prescribing the manner of making the same;"

No. 500. "An act to repeal section 2 of an act entitled 'An act to organize municipal townships in all counties that have not adopted

township organization, into bodies corporate for road purposes only, and to create a board of township road commissioners therein, with defined powers and duties, approved March 31, 1883, and to enact a new section in lieu thereof ;”

No. 593. “An act to amend section 982 of article 10, chapter 21 of the Revised Statutes of the State of Missouri ;”

No. 606. “An act creating a board of police commissioners and authorizing the appointment of a permanent police force for cities of the second class ;”

No. 727. “An act to repeal section 6729, article 2, chapter 145 of the Revised Statutes of the State of Missouri, entitled ‘Of the assessment and collection of the revenue, and to enact a new section in lieu thereof.’”

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 30, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to return to you, without my approval, bill No. 87, which originated in the Senate, entitled “An act entitled an act to establish an appellate court, to be known as the Springfield Court of Appeals, the appointment and election of their judges and their tenure of office, and providing for the appointment of officers and attendants of said court and their compensation,” which was presented to me within the ten days next preceding the adjournment of the General Assembly.

The effect of this bill is to establish a third court of appeals, at a cost, to the whole people, of from fifteen to twenty thousand dollars a year, exclusive of building and law library; and introduces an additional element of uncertainty as to the judicial interpretation of our laws, which may lead to unfortunate results.

This is a very important and somewhat expensive matter, and we should carefully consider the wisdom, prudence and necessity of the action before taking it. This I have attempted to do. In this endeavor, I have been led to the inquiry, why was the organization of these courts of appeal authorized? The answer is, to relieve the overcrowded condition of the docket of the State court of last resort, and thus afford to the litigants of our State speedy, economical and final determination of matters in controversy. These are the purposes, and the only purposes, in their creation.

These courts were authorized by the people with great reluctance, and only because a great necessity was upon us for some kind of permanent relief to the Supreme Court. They should be multiplied only to that extent absolutely necessary to execute the purpose of their creation. Unless a further necessity of such nature obtains, and the organization of this court will materially assist in meeting such necessity, it appears to me perfectly plain that this court should not be established.

The Supreme Court is still far behind its docket, to the great detriment of the people, and a measure that would afford it proper relief would meet with my hearty approval. But does this court afford, or tend to afford, such relief? It certainly does not.

It would have jurisdiction in those cases only which now go to the courts of appeal at St. Louis and Kansas City. It would lessen the work of those two courts, and of them alone. Is this relief needed?

The following facts answer that inquiry with convincing force: The Court of Appeals at Kansas City was organized and began work two years ago. Here is its history: "There were sent to this court on the first general order of transfer, 550 cases. Since that time there have been sent to this court from the Supreme Court 50 cases; making an aggregate of 600 cases received from that court. The total number of cases appealed to this court, to the 22d January, 1887, is 360, an average per year of 180. At the March term, 1885, 225 cases were submitted to the court. At the October term, 1885, 310 cases. At the March term, 1886, 210 cases. At the October term, 1886, 150 cases; a total of 895 cases; to which must be added 20 cases which have been considered and disposed of upon motions to affirm judgments, which makes the aggregate number disposed of during the years 1885 and '86, 915, or an average of $457\frac{1}{2}$ for each year. The court is up with its docket, and has but 135 cases for hearing at the March term, 1887. Of the ten counties proposed to be taken from this district, cases have been received from them as follows, within the two years past: Jasper, 23, Polk 2, Dallas 3, Cedar 1, Hickory 2, Barton 8, Dade 0, Vernon 8, Camden 0, Maries, 1; total 48. Average per year, 24."

The showing from the docket of the St. Louis Court of Appeals is: "The following is a statement of the number of cases to each term coming from the counties proposed to be taken into the Springfield district:

To the March term, 1885.....	3
To the October term, 1885.....	35
To the March term, 1886.....	15
To the October term, 1886.....	30
To the March term, 1887.....	18
Total for five years.....	101

For the past two years the St. Louis Court of Appeals has called its entire docket at each term, and delivered opinions in all cases submitted."

From these facts it is beyond dispute that no delay to the litigant is had in these two courts, and that they do not need relief at present. Should they ever, the General Assembly can then promptly provide it. This bill neither affords any relief, where it is needed, nor in anywise expedites the final adjudication of cases appealed from the circuit or criminal courts. Neither does it materially lessen the cost of such litigation to the client, as only attorneys attend these appellate courts.

In view of the foregoing facts, I cannot believe that the best interests of the whole people will be subserved by this bill becoming a law, and hence decline to sign it.

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, MARCH, 31, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to return to you, with my approval endorsed thereon, bills which originated in the Senate, and were presented to me within the ten days next preceding the adjournment of the General Assembly, of the following titles:

No. 23. An act to authorize the board of public improvements of any city in this State to audit and allow claims against such city for work done and materials furnished on any street or highway, under a contract with such city, and to provide for the payment of such claims; "

No. 35. "An act to repeal sections 7144, 7145 and 7146 of article 2, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof; "

No. 53. "An act to amend section 6791, article 5, chapter 145, Revised Statutes of Missouri, entitled 'Of the assessment and collection of the revenue; "

No. 95. "An act appropriating money to properly equip the State Agricultural College and Farm of Missouri; "

No. 115. "An act defining the duties of circuit and prosecuting attorneys and assistant circuit and prosecuting attorneys of courts of this State, having jurisdiction of criminal matters in cities within this State, which now have or which may hereafter have populations of

over one hundred thousand inhabitants; forbidding the employment of said officers in business other than that of the State, by parties other than the State, forbidding their accepting, taking, receiving, contracting or bargaining for any fee, reward, gift or thing of value whatsoever, other than the salary provided by law, for any services by them rendered during the terms of their offices; providing, in certain cases, for their suspension from office and for the appointment by the Governor of their successors; prescribing the duties, qualifications and compensations of their successors, and prescribing punishments for the violation of the provisions of this act;”

No. 118. “An act allowing jurors who have been found by the court to be qualified to sit as jurors in cases provided for in the first two subdivisions of section one thousand nine hundred of chapter one hundred and three of the Revised Statutes of Missouri of 1879, per diem and mileage;”

No. 144. “An act entitled an act to repeal an act to incorporate the town of Dallas, in Bollinger county, Missouri;”

No. 145. “An act to amend section 1 of an act entitled ‘An act to amend section 6879, and to repeal section 6880 and enact a new section in lieu thereof, and to amend sections 6881, 6882, 6885 and 6886, all of article 8 of chapter 145 of the Revised Statutes of Missouri of 1879, entitled ‘Of assessment and taxation of railroads;’ also, enact a new section, numbered 6886a; also an emergency clause, approved March 17, 1885;”

No. 146. “An act repealing an act entitled ‘An act providing for a State Veterinary Surgeon, defining his duties and fixing his compensation,’ session acts of 1885, and enacting a new act in lieu thereof, entitled ‘An act providing for the appointment of a State Veterinary Surgeon, defining his duties and fixing his compensation;”

No. 178. “An act to authorize county courts to provide for the payment and to pay for bridges, court houses, jails, or other public buildings erected or repaired, or for improvements thereon in certain cases;”

No. 200. “An act to amend section 929 of article 8 of the Revised Statutes of Missouri of 1879, entitled ‘Manufacturing and business companies;”

No. 202. “An act to prohibit the use of intoxicating liquors within three (3) miles of the Avalon college, situated in Livingston county, Missouri;”

No. 215. “An act to provide for service of process in proceedings to contest corporate elections;”

No. 219. “An act to amend section 6986, Revised Statutes of Missouri, 1879;”

No. 338. "An act to amend section 7037 of article 1, chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of schools;'"

No. 252. "An act to amend section 5415 of chapter 96 of the Revised Statutes of the State of Missouri, entitled 'Of ditches and drains;'"

No. 258. "An act to amend section one of an act entitled 'An act to amend section thirteen of an act entitled 'An act to establish the criminal court of Jackson county, and to provide for the election of a judge and clerk thereof,' approved February 2, 1871, changing the time of holding court, and providing for changes of venue in said county, approved February 8, 1872;'"

No. 259. "An act to amend sections 1 and 2 and to repeal section 7 of an act to provide for the ascertainment of and payment for damages done by municipal corporations to private property for public use, as directed by section 21 of article 2 of the State Constitution, entitled 'Cities, towns and villages—damages to private property for public use;'"

No. 261. "An act granting to the common schools in townships in which saloons may be situated, one third of the county revenue derived by the county from such saloon license;"

No. 265. "An act to authorize the appointment of official stenographers by the circuit courts in cities and counties having a population of three hundred and fifty thousand inhabitants or more, and providing for their compensation;"

No. 268. "An act relating to stenographers for certain courts, and regulating the fees for their services;"

No. 275. "An act to amend article 2 of chapter 150 of the Revised Statutes of the State of Missouri of 1879, entitled 'City, town and village schools,' by adding a new section thereto, to be designated as section 7154a;"

No. 284. "An act concerning mutual savings societies;"

No. 304. "An act to amend chapter twenty-one of the Revised Statutes of Missouri of 1879, entitled 'Of private corporations,' by adding thereto a new article to be entitled article XI, 'Of training schools for minors;'"

No. 332. "An act entitled 'An act to amend section three of an act entitled 'An act to amend sections 5438, 5440, 5442, 5456, 5464, and to repeal section 5462 of chapter 98, entitled 'Of dramshops,' as approved March 24, 1883;'"

No. 336. "An act to repeal section 3199 of chapter 47, article 3 of the Revised Statutes of the State of Missouri of 1879, entitled 'Of liens of inn and boarding-house keepers,' and to enact a new section in lieu thereof;"

No. 343. "An act concerning mutual savings fund, loan and building associations;"

No. 347. "An act to authorize the location of county seats in counties where the seat of justice shall have been destroyed by the caving of river banks;"

Also, joint and concurrent resolution No. 12. "Joint and concurrent resolution instructing our Senators and requesting our Representatives in Congress to use all means proper in their legislative capacity to secure an appropriation of fifty thousand dollars for the purpose of straightening Grand river."

Very Respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, March 31, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to return to you, with my approval endorsed thereon, bills which originated in the House of Representatives, and were presented to me within the ten days next preceding the adjournment of the General Assembly, of the following titles:

No. 7. "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies;"

No. 19. "An act to amend section 5652, chapter 104 of the Revised Statutes of the State of Missouri, entitled 'Of fences and inclosures,' as amended by an act approved March 27, 1885;"

No. 47. "An act to amend section 6060 of article 5 of chapter 119 of the Revised Statutes of Missouri, entitled 'Of insurance;'"

No. 89. "An act to amend section 1 of an act entitled 'An act to amend section 3311 of chapter 52 of Revised Statutes, 1876, of Missouri, entitled 'Of mortgages and deeds of trust,' approved March 26, 1881;'"

No. 105. "An act to amend section 2 of an act entitled 'An act to regulate the weighing of coal at mines, and to establish a just and uniform system of weights between employers and employes,' approved March 18, 1885;"

No. 109. "An act entitled 'An act to authorize cities and incorporated towns to appropriate money for constructing and repairing gravel, macadamized or graded public roads leading into same, and building bridges thereon;'"

No. 166. "An act to repeal section 2305 of the Revised Statutes of Missouri, 1879, and to enact a section in the place thereof, to be numbered 2305 ;"

No. 194. "An act to repeal an act entitled 'An act to repeal section 7023, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to insert a new section in lieu thereof,' approved March 29, 1883, and to enact a new section in lieu thereof, to be numbered 7023 ;"

No. 227. "An act to repeal sections 7041, 7042 and 7043, article 1, chapter 150 of the Revised Statutes of Missouri, entitled 'Of schools,' and to enact three new sections in lieu thereof, to be numbered 7041, 7042 and 7043 ;"

No. 300. "An act to repeal an act entitled 'An act to incorporate the town of Brunswick,' approved January 26, 1847; also, to repeal an act entitled 'An act to amend an act entitled 'An act to incorporate the town of Brunswick,' ' approved January 26, 1847, approved February 28, 1851, and also, to repeal an act entitled 'An act amendatory of an act entitled 'An act amendatory of an act entitled an act to incorporate the town of Brunswick,' approved March 7, 1870 ;' and also, to repeal an act entitled 'An act to amend an act amendatory of an act entitled 'An act to incorporate the town of Brunswick, approved March 7, 1870,' approved March 1, 1871 ; and also, to repeal an act entitled an act amendatory of and supplementary to an act amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870, approved March 28, 1872, and also to repeal an act entitled 'An act supplementary to and amendatory of an act entitled 'An act to incorporate the town of Brunswick,' approved March 7, 1870,' approved March 30, 1872 ;"

No. 327. "An act to establish the responsibility of railroad corporations, companies and persons owning or operating railroads, for damages by fires communicated by locomotive engines ;"

No. 328. "An act providing for the organization of levee districts by the owners in any contiguous body of land situate in one or more counties in this State, and bordering on, situate near or subject to overflow by the rivers of this State, to prevent and to protect such lands from such overflows ;"

No. 345. "An act to repeal section 926, chapter 21, article 8 of the Revised Statutes of 1879, as amended by an act entitled 'An act to amend section 926, chapter 21, article 8 of the Revised Statutes of Missouri, 'Of corporations,' ' approved March 20, 1885, and to enact a new section in lieu thereof, relating to the same subject ;"

No. 394. "An act to require railroad companies, or persons owning or operating any railroad or railroads in this State, to furnish suitable

and convenient cars for shipping live stock, and transporting and delivering the same to consignees at any station or stock yard in this State; ”

No. 395. “An act to amend an act entitled ‘An act to amend chapter 21 of the Revised Statutes of Missouri, entitled ‘Of private corporations,’ by adding a new article thereto, entitled ‘Trust companies,’ approved March 20, 1885;”

No. 420. “An act to amend an act entitled ‘An act to amend section 5632 of the Revised Statutes, relating to fees,’ approved March 23, 1881;”

No. 430. “An act to repeal sections 7050 and 7075 of chapter 150, article 1 of the Revised Statutes of Missouri, ‘Of schools,’ an act entitled ‘An act to amend article 1 of chapter 150 of the Revised Statutes, entitled ‘Of schools,’ by striking out section 7049, and substituting a new section in lieu thereof, to be numbered section 7049,’ approved March 26, 1881, and an act entitled ‘An act to amend section 7067, article 1, chapter 150 of the Revised Statutes of 1879, entitled ‘Of schools,’ ’ approved April 2, 1883, and to enact four new sections in lieu thereof, to be numbered 7049, 7050, 7067 and 7075;”

No. 446. “An act to repeal section 1 of an act entitled ‘An act to amend section 1 of an act approved March 24, 1881, entitled ‘An act entitled an act relating to the duties of county clerks and other officers in counties under township organization,’ ’ approved March 27, 1883;”

No. 492. “An act to amend section 1 of an act entitled ‘An act to amend section 1 of an act entitled ‘An act entitled an act making county treasurers *ex officio* county collectors in counties having adopted township organization, and defining his duties,’ of an act approved March 23, 1881,’ of an act approved March 27, 1883;”

No. 516. “An act entitled an act to repeal section 7053 of chapter 150, article 1 of the Revised Statutes of Missouri, ‘Of schools;’ to repeal an act entitled an act to amend section 7052 of chapter 150, article 1 of the Revised Statutes of Missouri, ‘Of schools,’ approved April 2, 1883, and to repeal an act to amend section 7054 of the Revised Statutes of the State of Missouri, in relation to colored schools, approved March 16, 1883, and to enact two new sections in lieu thereof, to be numbered 7052 and 7053;”

No. 551. “An act to authorize the several counties of this State and the county seats thereof to erect, maintain and use court houses and jails jointly;”

No. 565. “An act to amend section 5441 of chapter 98 of article 5 of the Revised Statutes of Missouri of 1879, ‘Of dramshops,’ as amended by an act approved March 24, 1883;”

No. 623. “An act to authorize funding of the debt of counties in certain cases;”

No. 657. "An act to amend section 6782 of the Revised Statutes of 1879, relating to settlement of collectors ;"

Also, House joint and concurrent resolution No. 2. "Joint and concurrent resolution looking toward locking and damming the Osage river."

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, April 2, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to return to you, with my approval endorsed thereon, bill No. 707, which originated in the House of Representatives, and was presented me within the ten days next preceding the adjournment of the General Assembly, of the following title: "An act to appropriate money for the support of the State government for the years 1887 and 1888."

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, April 5, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to return to you, with my approval endorsed thereon, bills which originated in the House of Representatives and were presented to me within the ten days next preceding the adjournment of the General Assembly, of the following titles:

No. 38. "An act providing for the holding of two terms of Linn county circuit court at the city of Brookfield, in said county, and prescribing the jurisdiction thereof ;"

No. 356. "An act to amend an act entitled 'Inspectors of petroleum,' to amend section No. 5841 ;"

No. 453. "An act for the relief of the heirs of Morgan Sullivan, deceased, and James Dodds, and to appropriate money therefor ;"

No. 469. "An act to provide for the collection of personal taxes ;"

No. 674. "An act to make copies of entries in and abstracts of title made from certain abstracts of title to lands in Gentry county

Missouri, known as George C. Holden's abstracts, when verified by affidavit, *prima facie* evidence of title in all courts and places in this State, and to allow the same to be rebutted by parol or other legal evidence, and to allow the use of any other competent evidence, either written or parol, in lieu of such abstract evidence, fixing a maximum schedule of fees for furnishing such copies of entries and abstracts of title, providing a penalty for exceeding such schedule of fees, and for failure to furnish such copies or abstracts of title under certain conditions, and making it a felony to falsely alter, destroy, corrupt or falsify any entry in said abstracts of title, or to procure the same to be done, so that the same shall not conform to the original records of Gentry county, as now shown by such abstracts of title ;”

No. 685. “An act to repeal section 1167 of the Revised Statutes of 1879, and all acts amendatory thereof, and to enact a new section in lieu of the same, relating to the holding of circuit courts in the twenty-third circuit, and providing for the holding of circuit courts in the county of Wayne in said circuit, at a place other than the county seat ;”

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT,)
CITY OF JEFFERSON, April 5, 1887. }

HON. M. K. McGRATH, *Secretary of State* :

SIR: I have the honor to return to you, with my approval endorsed thereon, bills which originated in the Senate and were presented to me within the ten days next preceding the adjournment of the General Assembly, of the following titles:

No. 140. “An act to provide for the preventing of the evils of intemperance by local option in any county in this State, and in cities of twenty-five hundred inhabitants or more, by submitting the question of prohibiting the sale of intoxicating liquors to the qualified voters of such county or city ; to provide penalties for its violation, and for other purposes ;”

No. 341. “An act in relation to terms of probate court in more than one place in certain counties, and as to appointment of clerks for the probate court in any county when terms of the probate court may be held in more than one place in such county ;”

No. 351. “An act to authorize the judge of probate of New Madrid county, Missouri, to appoint a clerk of said court and prescribe his duties and compensation.”

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, April 13, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to return to you, without my approval, bill No. 151, which originated in the House of Representatives, entitled "An act to amend section 974 of chapter 21, article 10 of the Revised Statutes of Missouri, entitled 'Of benevolent, religious, scientific, educational and miscellaneous associations,' as amended by an act approved February 8, 1881," and which was presented to me within the ten days next preceding the adjournment of the General Assembly.

The amendment contained in this bill consists in striking out of section 974 of the Revised Statutes, the word "incidentally." If the object and effect of this is to enable life insurance companies to organize and do business on the assessment plan, under the Statute pertaining to benevolent associations, without being subject to any supervision by the superintendent of insurance, it is wrong in itself, and is opposed to the object and effect of House bill No. 385, passed by the present General Assembly and already approved by me.

The bill just referred to, House bill No. 385, makes detailed and liberal provisions for organization of life insurance companies on the assessment plan, and imposes only such conditions as appear to be necessary for protection against fraud.

The Statutes as they now are, grant as many liberties in this direction to benevolent associations as are needed and safe.

This amendment would, I think, open the way to fraudulent abuse of the privileges granted in the section it amends.

In view of these facts, I withhold my approval. :

Very respectfully,

JOHN S. MARMADUKE.

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON, April 13, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to return to you, without my approval, bill No. 335, which originated in the Senate, entitled "An act amending and in revision of all acts creating a board of police commissioners and authorizing the appointment of a permanent police force of the City of Kansas, approved March 27, 1874, and subsequent amendments thereto, approved February 8, 1875, March 22, 1881, and March 24, 1881," and which was presented to me within the ten days next preceding the

adjournment of the General Assembly. The reason for withholding my approval from this bill are best given in the following correspondence:

HON. B. G. BOONE, *Attorney-General*:

SIR: I send you herewith a correct copy of Senate bill No. 335, repealing the acts heretofore passed relating to the police force of Kansas City, and enacting a new law. Also find enclosed the briefs of the author of the bill, Hon. A. M. Allen.

By reference to journal of the Senate for the session of 1885, at page 870, you will see that I vetoed a bill similar to this two years ago. I do not object to the provisions of the bill, but fail to see how it can escape the constitutional objections stated in the veto referred to. And as the repealing clause or section is clearly within the province of the General Assembly, I fear that my approval of this bill would leave the city without any police regulations, or the power to make any by ordinance.

I desire and request that you carefully examine the bill, with the brief of Senator Allen and my veto, and give me your written opinion on the constitutional questions involved, with as little delay as practicable.

Very truly yours,

JOHN S. MARMADUKE.

To His Excellency, JOHN S. MARMADUKE, *Governor of the State of Missouri*:

DEAR SIR: I have the honor to acknowledge the receipt of your communication of the 4th inst., in which you request my official opinion as to the constitutionality of Senate bill No. 335, passed by the Thirty-fourth General Assembly, entitled "An act amending and in revision of all acts creating a board of police commissioners and authorizing the appointment of a permanent police force of the City of Kansas, approved March 27, 1874, and subsequent amendment thereto, approved February 8, 1875, March 22, 1881, and March 24, 1881."

The provisions and purposes of this bill plainly appear to apply specially and exclusively to the police government of the City of Kansas.

Section 53, article 4 of the State Constitution provides: The General Assembly shall not pass any local or special law * * * "Regulating the affairs of counties, *cities*, townships, wards or school districts. Nor * * * incorporating *cities*, towns or villages, or *changing their charters*. Nor * * * creating offices or prescribing the powers and duties of officers in counties, *cities*, townships, election or school districts."

And section 54, article 4 of the Constitution, provides: "No local or special law shall be passed unless notice of the intention to apply

therefor shall have been published in the locality where the matter or thing to be effected may be situated. Which notice shall state the substance of the contemplated law, and shall be published at least thirty days prior to the introduction into the General Assembly of such bill, and in the manner to be provided by law, * * * and the notice shall be recited in the act according to its tenor.

It seems to me that this bill is both local and special, and clearly falls within the several restrictions contained in the above quoted provisions of the Constitution. I may here state that I have carefully examined and compared the authorities and adjudicated cases furnished in the brief of the able and experienced legislator who is the author of this bill, and I am not unmindful of the well recognized rule, that before a law is declared unconstitutional its opposition and repugnancy to the Constitution should be clear, plain and unmistakable. If, however, I am correct in the conclusion that this bill is local and special, or either, the courts would in my opinion declare it invalid as being in conflict with constitutional provisions herein referred to.

I have the honor to be,

Very respectfully,

Your obedient servant,

B. G. BOONE, Attorney-General.

Very respectfully,

JOHN S. MARMADUKE.

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31	Act to repeal sec. 1 of an act to amend sec. 6013, insurance.....56,84,471,474,	Johnson of Mont
32	to place electrical conductors underground.....56,	gomery.
33	to amend sec. 1367, crimes.....56,84,168,	Castleman.
34	to amend sec. 1326, crimes.....56,84,107,132,	Allen.
35	to repeal secs. 7144, etc., schools.....56,84,	Allen.
36	to amend art. 9, chap. 145.....56,84,93,109,	Simrall.
37	to amend sec. 1888, crimes.....57,84,126,132,166,	McGinnis.
38	to amend sec. 1904, crimes.....57,84,193,221,279,	McGinnis.
39	to amend sec. 1963, crimes.....57,84,126,	McGinnis.
40	to tax business avocations....57,84,122, 132,155,172,	McGinnis.
41	to create commission to frame criminal code..57,84,	McGinnis.
42	to repeal secs. 1917 and 1918, crimes.....57,85,527,	Parcher.
43	to regulate railroads.....57,	Parcher.
44	to amend sec. 2952, justices courts.....57,85,122,	Simrall.
45	to establish branch clerk's office.....58,85,124,	Allen.
46	to amend art. 18, chap. 24, crimes.....63,85,	Claycomb.
47	to provide for building sidewalks....63,85,728,729,	Sebree.
48	to regulate railroads.....63,	Harmon.
49	to amend act creating bureau of statistics....64,96,	Sparks.
50	to repeal sec. 5365, counties.....64,96,101,	Downing.
51	to amend sec. 1308, crimes....64,96,236,248,310,348,	Saltonstall.
52	to amend sec. 1044, courts of record.....64,96,	Johnson of Madi-
53	to amend sec. 6791, revenue.....64,96,237,	son.
54	to provide for branch penitentiary.....64,96,	Sears.
55	to amend act to restrain animals.....64,102,251,	Sebree.
56	to repeal act to restrain animals.....64,102,	Sears.
57	to repeal sec. 507, attorneys.....65,102,	Sheldon.
58	to establish the 30th judicial circuit..65,359,375,407,	Sheldon.
59	to provide for county counselor.....65,102,123,	Allen.
60	to amend chap. 59, art. 75, practice.....65,102,123,	Sebree.
61	to repeal act to amend sec. 1147, circuit courts..65,	Ball.
62	to repeal sec. 6334, merchants' license.....65,103,	Wood.
63	to repeal secs.792, etc., corporations.....65,103,394,	Wood.
64	to amend sec. 5619, fees.....65,103,354,	Wood.
65	to amend sec. 2835, justices' courts.....65,103,122,	Ryors.
66	to regulate sale of morphine.....66,103,192,226,	Johnson of Madi-
67	to repeal secs. 837, etc., corporations.....66,103,	son.
68	for organization of militia....70,103,232,261,273,276,	Wood.
	277,283,357, 418	

No.	Bills.	Introduced by
69	Act to establish uniform text-books. .70, 103, 166, 230, 261, 310, 348, 422, 450	Ball.
70	to provide for local option.70, 103, 192	Ball.
71	to amend act creating board of health. .70, 103, 267, 377	Jacobs.
72	to regulate dramshops.71, 103	Moran.
73	to repeal sec. 6661, revenue. .71, 103, 131, 145, 179, 200, 223	Harmon.
74	to amend sec. 3833, recorders. . . .71, 104, 165, 180, 215, 239, 253, 307, 336	Harmon.
75	to provide for revising Constitution.71, 104, 346	Claycomb.
76	to amend sec. 2, art. 1, administration. .71, 107, 131, 145, 191, 223, 546, 581, 582, 695	Claycomb.
77	relating to opinions of courts. . . .71, 107, 130, 145, 179, 200	Claycomb.
78	to amend act, druggists.71, 107, 375, 389, 499	Gideon.
79	to amend article 9, practice.71, 107, 131, 145, 194, 223	Sebree.
80	to amend sec. 1998, appeals, etc. .71, 108, 145, 168, 180, 226	Sebree.
81	to regulate appeals to circuit courts. . . .72, 108, 164, 180, 214, 239, 695, 706, 726, 745, 752	Sebree.
82	to amend sec. 2513, frauds. . . .72, 108, 131, 179, 200, 547, 581, 582, 695	Allen.
83	to repeal parts of act to amend sec. 1159, circuit courts. .72, 108, 130, 145, 191, 226, 336, 547, 581, 582, 695	Seabourn.
84	to furnish Butler county reports. . . .72, 108, 149, 158, 193, 227, 230, 279, 333, 690, 715, 721, 752	Johnson of Madison.
85	to prohibit sale liquors to minors. . . .72, 108, 167, 218, 231, 278, 330, 390	Proctor.
86	relating to revising Constitution. . . .77, 108, 325, 329, 331, 386, 446	Jacobs.
87	to establish Springfield Court of Appeals. . .78, 139, 153, 174, 193, 227, 560, 607, 610, 622, 623, 761	Gideon.
88	to erect additions to Lunatic Asylum No. 3. .78, 139, 217, 278, 328, 398, 569, 599, 680	Claycomb.
89	to amend sec. 7095, schools.78, 139, 149, 158, 194, 227, 253, 272, 472, 560, 582, 681	Hunter.
90	to refund State debt.78, 139, 153, 176, 227, 253, 356, 419, 676, 697, 713, 754	Hunter.
91	relating to trust companies.79, 139, 164, 180, 214, 239, 368, 635	Webster.
92	to amend act regulating real estate sales. . . .79, 140, 216, 231, 377, 407, 529	Johnson of Madison.
93	relating to management of county affairs. . . .79, 238, 248, 307, 337	Proctor.
94	relating to Lincoln Institute. . . .79, 140, 155, 174, 194, 228, 560, 582, 695	Proctor.
95	to appropriate money for Agricultural College. .79, 140, 199, 224, 270, 312, 328, 397, 682, 705, 726, 745, 763	Proctor.
96	to amend chap. 25, damages.79, 140, 161, 180, 232, 249	Sebree.
97	to amend chap. 21, railroads.79, 140, 154, 226	Sebree.
98	relating to railroads.79, 140, 154, 226, 269, 312, 503	Sebree.
99	to amend sec. 809, railroads.80, 140, 472, 474	Sebree.
100	to amend sec. 5459, dramshops.80, 140, 389, 499, 567	Gideon.
101	to amend sec. 2804, justices courts. . . .80, 141, 217, 231, 278, 302, 321	Gideon.
102	to repeal sec. 1881, crimes. . . .80, 141, 193, 224, 269, 312, 593, 608, 609, 758	Mansfield.
103	to amend road law.80, 141	Mansfield.
104	relating to shipping live stock.80, 141, 165, 180, 214, 239, 678, 686, 749	Parcher.
105	to regulate freight rates.80, 141, 392	Simrall.
106	to amend sec. 1962, crimes.91, 151, 368, 376	Allen.
107	to amend art. 2, chap. 24, crimes.92, 141, 269, 394	Smith.
108	to amend chap. 51, married women. . . .92, 141, 352, 376, 426, 462, 520	Sebree.
109	relating to telegraph companies.92, 141, 723	Sebree.

No.	Bills.	Introduced by
110	Act to permit guardians to invest funds. .92, 142, 184, 201, 245, 252	Simrall.
111	to provide for local option. 92, 142, 192	Simrall.
112	to repeal act relating to marriage. 92, 142, 253, 373	Sheldon.
113	to repeal sec. 6705, revenue. 92, 142, 149, 194, 234, 278, 334, 335	Ball.
114	to amend sec. 6237, legislature. 92, 142, 411, 538, 560, 591, 602	Saltonstall.
115	relating to prosecuting officers. 92, 142, 236, 248, 307, 337, 593, 594, 631, 646, 651, 763	Castleman.
116	to amend sec. 1904, crimes. 93, 142, 267	Seabourn.
117	to repeal sec. 6663, revenue. 93, 142, 639, 640	Seabourn.
118	to compensate rejected jurors. 93, 143, 153, 174, 194, 235, 604, 613, 620, 764	Seabourn.
119	to enforce attendance of children at school. 93, 143, 154	Claycomb.
120	relating to marriage. 93, 143, 167, 180, 203, 224, 521	Jacobs.
121	to amend sec. 3514, practice. 98, 143	Claycomb.
122	to repeal sec. 3514, practice. 98, 143	Johnson of Madison.
123	to amend sec. 3229, limitations. 98, 143, 190, 224, 270, 313, 348, 349, 538, 560, 564, 636	Webster.
124	relating to railroads. 98, 143, 212	Parcher.
125	relating to taxation of railroads. 99, 143, 251, 260, 307, 339, 372, 439	Parcher.
126	to establish reform school. 99, 143, 208, 245, 252	Moran.
127	relating to married women. 99, 143, 376, 426, 462, 520	Moran.
128	to amend sec. 4014, witnesses. 99, 144, 376, 426, 462, 520	Moran.
129	to amend chap. 38, habeas corpus. 99, 144, 154, 226, 279, 333, 499, 564	Sebree.
130	to provide for local option. 99, 144, 192, 249	Sebree.
131	to amend sec. 4940, cities. 99, 144, 165, 180, 214, 240, 424	Wood.
132	to pay money to Livingston county. 100, 144, 168, 180, 191, 235, 470, 487, 500, 606	Jacobs.
133	relating to inspection of stock. 100, 144, 165, 180, 214, 240, 560, 582, 695	McGinnis.
134	to amend art. 2, revenue. 100, 144, 149, 158	Sheldon.
135	to amend sec. 6772, revenue. 100, 144, 165, 180, 135, 240, 254	Sheldon.
136	to establish office of circuit attorney. 100, 145, 268, 291, 354, 420	Smith.
137	relating to attorneys. 100, 145, 268, 291, 356, 475	Smith.
138	to amend sec. 1550, crimes. 106, 169, 218, 231, 279, 333, 683, 697, 699, 752	Moran.
139	to provide for drainage of mines. 106, 169, 184, 201, 245, 253, 294, 355, 421	Claycomb.
140	to provide for local option. 106, 169, 185, 203, 212, 674, 675, 770	Wood.
141	to amend sec. 5596, fees. 106, 169, 190, 224, 270, 313, 692, 708, 726, 745, 758	Sparks.
142	relating to cities of second class. 107, 169, 211, 224, 270, 314	Allen.
143	to place electrical wires underground. 107, 169	Allen.
144	to repeal act to incorporate Dallas. 107, 169, 210, 224, 269, 314, 683, 696, 698, 764	Smith.
145	to amend sec. 6879, revenue. 117, 169, 238, 307, 248, 337, 692, 715, 721, 764	Sears.
146	to provide for veterinary surgeon. 117, 169, 271, 307, 338, 695, 727, 742, 764	Proctor.
147	to amend act to repeal sec. 7023, schools. 117, 170, 394	Smith.
148	to amend sec. 7027, schools. 118, 170, 393	Smith.
149	to regulate freight charges. 118, 170	Harmon.
150	to regulate freight charges. 118, 170	Harmon.
151	to amend sec. 6909, revenue. 118, 170, 725	Davison.
152	to amend chap. 98, dramshops. 118, 170, 266, 291, 342, 380, 381	Sebree.

No.	Bills.	Introduced by
153	Act to create liens on railroads. 118, 170, 252, 428, 444, 488, 503	Sebree.
154	to license railroads. 118, 170, 252, 261	Sebree.
155	to amend road law. 118, 170, 261, 289, 357, 422, 743	Sparks.
156	to repeal sec. 2174, divorce. 119, 171, 183, 201	Sheldon.
157	to amend sec. 1918, crimes. 119, 171, 171	Moran.
158	to prevent repayment of taxes. 119, 178, 409	Castleman.
159	to repeal sec. 5666, fences. 119, 178, 368, 376, 392, 449, 529	Saltonstall.
160	to repeal sec. 6723, revenue. 119, 178, 367, 376	Seabourn.
161	to provide depository for funds. 119, 178, 245, 251, 306, 339, 349	Hazell.
162	to repeal sec. 5018, cities 119, 178, 265, 290, 356, 422, 678, 696, 698, 758	Wood.
163	to repeal sec. 5019, cities 119, 178, 265, 290, 357, 423, 636, 669, 670, 752	Wood.
164	to amend chap. 148, salaries. 119, 178, 184, 201, 245, 253, 275	Simrall.
165	to repeal sec. 2400, executions. 120, 178, 259, 289, 342, 383, 728, 730, 743, 752	Simrall.
166	to amend sec. 3514, practice. 120, 178	Simrall.
167	to amend sec. 5878, institutions. 120, 179, 217, 231, 279, 333	Downing.
168	relating to unincorporated towns. 120, 179, 244, 250, 306, 346, 682, 696, 713, 753	Johnson of Mont-gomery.
169	to repeal act to amend sec. 2182, divorce. 120, 179, 183, 202	Sheldon.
170	to amend school law. 120, 194, 408, 410, 461, 513	Jacobs.
171	to amend act to restrain animals 120, 193, 433, 444, 488, 505, 728, 730, 745, 747	Seabourn.
172	relating to assignment of dower. 128, 195, 206, 225, 270, 315, 521	Allen.
173	to amend sec. 2803, justices. 128, 195, 245, 250, 307, 347, 692, 708, 727, 742, 758	Allen.
174	to amend sec. 2174, divorce. 128, 195, 256	Parcher.
175	relating to institutions. 128, 195, 246, 250, 274, 321	Parcher.
176	to amend chap. 103, fees. 128, 195, 206, 225, 270, 315	Simrall.
177	to amend sec. 729, corporations. 129, 195, 231, 291, 357, 425, 628, 646, 651	Proctor.
178	to authorize county courts to pay for bridges, etc. 129, 195, 305, 326, 355, 425, 593, 594, 627, 646, 652, 764	Moran.
179	to repeal sec. 1186, courts of record. 129, 195, 215, 231, 278, 286, 309, 327, 355, 431, 635	Mansfield.
180	to repeal sec. 1666, crimes. 129, 195, 208	Mansfield.
181	to amend sec. 3833, recorders. 129, 195, 352, 375, 427, 462	Castleman.
182	to amend sec. 171, administration. 129, 196, 207, 225, 271, 315	Castleman.
183	to regulate sales of real estate. 129, 196	Castleman.
184	to amend sec. 5148, coroners. 134, 196	Simrall.
185	to adjust salaries of officers. 136, 196, 354, 375, 427, 463, 685, 711, 727, 742, 747	Gideon.
186	to amend sec. 5148, coroners 136, 196, 206, 225, 279, 335, 683, 697, 753	Sears.
187	to amend sec. 5637, fees. 136, 196, 206, 225, 270, 315	Sears.
188	relating to railroads. 136, 196	Johnson of Mont-gomery.
189	to amend chap. 150, schools. 136, 196, 452, 456, 493, 513	Sebree.
190	relating to attorneys. 136, 196, 267	Sebree.
191	to amend chap. 47, liens. 136, 196	Sebree.
192	relating to limitations of titles. 136, 197, 208, 271, 316	Allen.
193	to repeal act to amend sec. 5627, fees 136, 197, 206, 225, 270, 320, 728, 730, 759	Allen.
194	relating to assessment insurance. 136, 197, 226, 394, 421	McGinnis.
195	to provide branch penitentiary. 137, 197, 688	Smith.
196	relating to insurance companies. 137, 197, 322, 327	Webster.
197	to amend art. 11, chap. 48, limitation. 137, 197, 207, 225, 278, 301	Castleman.
198	to amend chap. 64, set off 137, 197, 207, 270	Castleman.
199	to amend chap. 37, guardians. 147, 197	Johnson of Mont-gomery.

No.	Bills.	Introduced by
200	Act to amend sec. 929, corporations. . . 147, 197, 215, 231, 279, 336, 682, 697, 713, 764	Johnson of Mont- gomery.
201	to amend chap. 18, constables. . . 147, 197, 211, 271, 302, 685, 697, 698, 753	Johnson of Mont- gomery.
202	to prohibit sale of liquors near Avalon college. . . 147, 197, 267, 291, 356, 431, 442, 461, 497, 593, 608, 609 764	Jacobs.
203	to change court in 27th circuit. . . 147, 198, 206, 225, 270, 303, 356, 369, 685, 696, 713, 753	Sears.
204	to repeal act creating board of health. . . 148, 198, 258, 289, 356, 431	Sears.
205	to provide for collection of judgments. 148, 198	Sebree.
206	to pay moneys to McDonald county. . . 148, 198, 218, 232, 279, 300, 342, 383, 678, 686, 747	Seabourn.
207	to repeal sec. 5614, fees. 148, 198, 217, 232, 278, 331	Saltonstall.
208	relating to probate court records. . . 148, 198, 203, 225, 319	Hazell.
209	to prohibit operation of parallel lines. . . 152, 198, 363, 369, 392, 447, 448, 693, 727, 745, 759	Claycomb.
210	to amend sec. 5622, fees. 152, 198, 216, 232, 278, 330	Sheldon.
211	to add Taney county to 21st circuit. . . 152, 199, 207, 225, 270, 300	Gideon.
212	to amend sec. 5622, fees. 152, 199, 216	Gideon.
213	to amend chap. 158, surveyors. 152, 199	Simrall.
214	relating to street railways. . . . 158, 199, 210, 226, 271, 320, 522, 550, 562, 681	McGinnis.
215	relating to corporate elections. . . 158, 199, 208, 226, 271, 302, 694, 727, 742, 764	Castleman.
216	relating to railroad commissioners, etc. 160, 219	Mackey.
217	to repeal sec. 2953, justices courts. . . 160, 219, 354, 375, 427, 463	Saltonstall.
218	to provide for acquisition of grounds by counties, 160, 177, 214, 241, 306, 355, 433	Allen.
219	to amend sec. 6986, revenue. 160, 219, 265, 290, 355, 356, 434, 692, 716, 721, 764	Harmon.
220	to repeal sec. 7162, schools. 160, 219, 395, 410, 451, 489	Sparks.
221	to amend sec. 1077, supreme court. . . 160, 219, 279, 298, 355, 434, 692, 716, 721, 753	Sears.
222	to regulate course of study in schools. . . 161, 219, 395, 411, 462, 489	Wood.
223	relating to cities of second class. . . . 161, 178, 247, 280, 357, 435, 694, 706, 727, 743, 759	Moran.
224	relating to cities of second class. 161, 178, 219, 281	Moran.
225	to define an easy grade. 161, 220, 559, 581	Simrall.
226	to amend sec. 1851, crimes . . 176, 220, 236, 249, 307, 347, 685, 697, 698, 753	Hazell.
227	to exempt certain property from taxation. . . 176, 220, 237, 249, 307, 348	Ketchum.
228	to amend sec. 3376, partition. 176, 220, 257, 289, 357, 436, 728, 730, 743, 759	Simrall.
229	to amend sec. 4043, agriculture. . . 182, 220, 280, 298, 355, 437	Harmon.
230	to define a retail liquor dealer. . . 182, 247, 541, 526, 591, 606	Mansfield.
231	to provide for payment of wages. 183, 220, 384	Sears.
232	to require switches, frogs, etc., blocked. . . 183, 220, 326, 346, 373, 439	Sparks.
233	to authorize clerks to practice as attorneys. . . 183, 220, 367, 376, 407, 450	Sheldon.
234	to repeal act to amend sec. 2182, divorce. . . . 183, 220, 269, 462	Sheldon.
235	to improve the capitol building. . . 183, 220, 371, 386, 441, 513, 524, 532	Hazell.
236	relating to publishing court opinions. . . 183, 220, 257, 289, 356, 437	Simrall.
237	to create new Normal school. . . . 184, 221, 282, 310, 348, 379	Parcher.
238	to amend sec. 1268, crimes. . . . 189, 221, 259, 289, 342, 385, 520	Simrall.
239	to provide circuit court at Montgomery. . . 189, 262, 352, 374, 426, 464	Johnson of Mont- gomery.

No.	Bills.	Introduced by
240	Act to repeal sec. 1147, circuit courts....190,262,352,374,	520 Johnson of Mont-
241	to provide probate court at Montgomery....190,262,	Johnson of Mont-
	352,374,426.	464 gomery.
242	to amend sec. 2812, justices courts...190,247,258,289,	Webster.
	356, 437	
243	to add three secs. to dramshop law.....203,247,	269 McGinnis.
244	to amend sec. 3310, mortgages...203,221,352,375,407,	450 Castleman.
245	relating to digest of reports...205,247,257,290,342,385,	520 Downing.
246	to amend sec. 2036, justices.....205,	260 Allen.
247	to amend sec. 5032, cities....205,247,265,342,385,695,	Smith.
	716,721,	753
248	to amend sec. 237, administration...205,247,258,290,	Hunter.
	342, 416	
249	to amend art. 2, crimes.....213,247,342,373,426,	464 Sebree.
250	relating to witnesses.....214,247,	260 Sebree.
251	to authorize county courts to improve roads...214,	247 Webster.
252	to amend sec. 5415, ditches..214,248,346,373,427,466,	Parcher.
	728,729,744,	765
253	to place statues of Benton and Blair at Washington.	McGinnis.
	221,248,366,376,407,	451
254	to repeal sec. 5998, insurance.....228,248,	471 Wood.
255	to amend sec. 1030, courts of record.228,260,408,414,	Ryors.
	461, 490	
256	to provide payment for back tax books.....230,	260 Sparks.
257	relating to mortgages.....230,248,353,374,426,466,	530 Allen.
258	relating to criminal court Jackson county..243,250,	Allen.
	267,291,355,438,694,710,726,744,	765
259	relating to damages to property for public use.243,	Allen.
	295,390,410,461,489,683,697,713,	765
260	to amend secs. 3172 and 3192, liens.....243,	295 Allen.
261	to grant schools one-third of saloon license.243,250,	
	309,326,355,438,585,608,609,	765
262	to amend sec. 5622, fees.....243,	295 Saltonstall.
263	relating to fire insurance companies...243,296,471,	472 Sebree.
264	to amend sec. 6334, licenses.....243,296,	528 Sebree.
265	to provide stenographers...244,296,351,375,398,443,	Castleman.
	466,694,727,744,	765
266	to amend sec. 5529, elections.....244,296,	352 Castleman.
267	to repeal sec. 7581, treasury.....244,296,353,	374 Castleman.
268	to provide stenographers for courts.244,296,353,374,	Downing.
	466,676,684,685,	765
269	to amend secs. 184, etc.. administration...244,296,	363 Hunter.
270	to amend act to repeal sec. 7125, schools.244,296,367,	Hunter.
	376,408,458,	493
271	to repeal sec. 2174, divorce.....244,296,353,	375 Sheldon.
272	to amend sec. 29, township organization...244,296,	Taggart.
	367,376,407,	459
273	to amend sec. 1253, crimes.....249,297,358,375,	520 Simrall.
274	to amend chap. 104, fences...250,297,367,377,408,459,	463 Sebree.
275	to amend art. 2, schools.250,297,324,346,372,440,692,	Allen.
	716,721,	765
276	to amend sec. 6489, penitentiary.256,297,367,377,399,	424 Ketchum.
277	to create local boards of health.256,297,579,586,639,	652 Sears.
278	to amend sec. 743, corporations.256,297,324,346,372,	441 Johnson of Mont-
		gomery.
279	to amend sec. 832, railroads....264,310,370,409,451,	512 Claycomb.
280	to provide terminal facilities...264,289,318,327,386,	Castleman.
	441,443,504	545
281	to amend sec. 482, attorneys....264,310,353,375,407,	460 Sheldon.
282	to facilitate collection of revenue.....264,310,639,	640 Sparks.
283	relating to oleomargarine.....264,310,	528 Sebree.
284	concerning savings societies...264,340,354,372,407,	McGinnis.
	460,692,727,745,	765
285	to abolish private seals.....264,310,429,	444 Sebree.

No.	Bills.	Introduced by
286	Act to provide course of study in schools... 265, 310, 452,	Sebree.
	456, 506, 512	
287	to amend election law..... 282, 311,	Smith.
288	relating to marriage license..... 282, 311, 363,	Sebree.
289	to prevent fraudulent prescriptions. 282, 311, 529, 526,	Sheldon.
	561, 574, 728, 730, 744,	
290	relating to foreign detectives. 292, 311, 360, 377, 378, 426,	Gideon.
	466, 514	
291	to provide for automatic car couplings..... 293, 311,	Sparks.
292	to amend sec. 985, costs..... 293,	Seabourn.
293	to regulate railroads. 293, 300, 317, 328, 346, 359, 369, 386,	Committee.
	388, 397, 403, 443, 445, 494, 497, 676, 684, 691	
294	to reorganize Lincoln Institute..... 293, 340,	Taggart.
295	to amend chap. 98, dramshops. 293, 311, 390, 409, 461,	Downing.
296	relating to attorneys..... 305, 344, 453, 457, 493,	Downing.
297	to authorize courts to refund bonds.... 308, 344, 366,	Ball.
	377, 392 449	
298	to repeal sec. 4942, cities..... 308, 344,	Allen.
299	to create park commissioner in counties. 308, 326, 354,	Allen.
	375, 443, 467	
300	to amend sec. 5560, elections. 309, 344, 429, 444, 456, 457,	Allen.
	493, 499	
301	to amend chap. 167, weights... 317, 344, 389, 410, 451,	Sears.
	469, 585, 589, 608, 609,	
302	relating to funds in litigation... 317, 344, 366, 377, 392,	Ball.
	460, 682, 696, 713,	
303	to amend sec. 1326, crimes..... 322, 344,	Seabourn.
304	to amend chap. 21, corporations.... 323, 358, 388, 443,	Moran.
	467, 728, 730,	
305	relating to registration of animals. 323, 358, 453, 457,	Downing.
	493, 511, 685, 697, 698,	
306	to provide stenographers for courts..... 323, 358,	McGinnis.
307	relating to taxation of railroads... 330, 358, 370, 461,	Sears.
308	to increase the number of Normal schools. 339, 358,	Jacobs.
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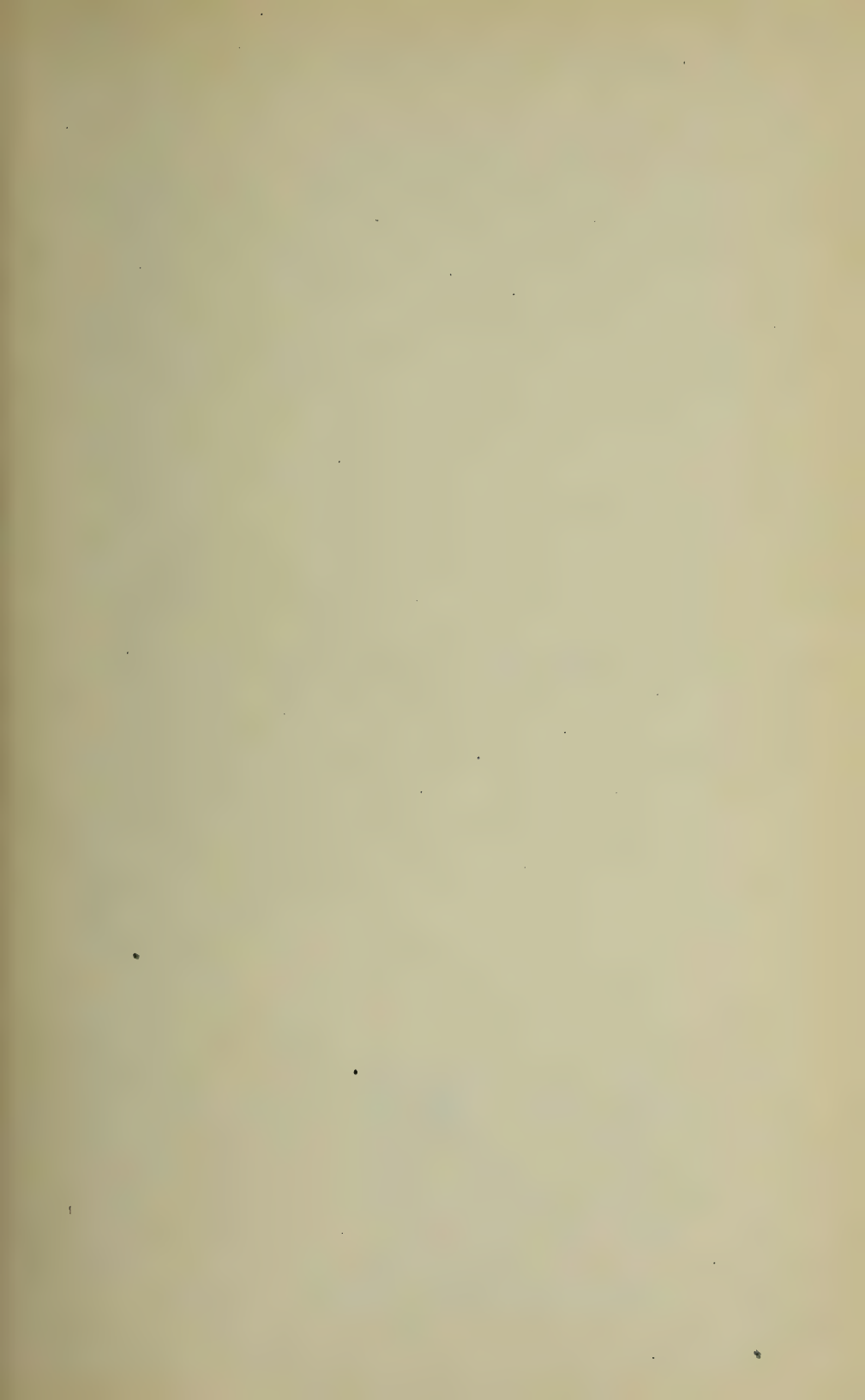
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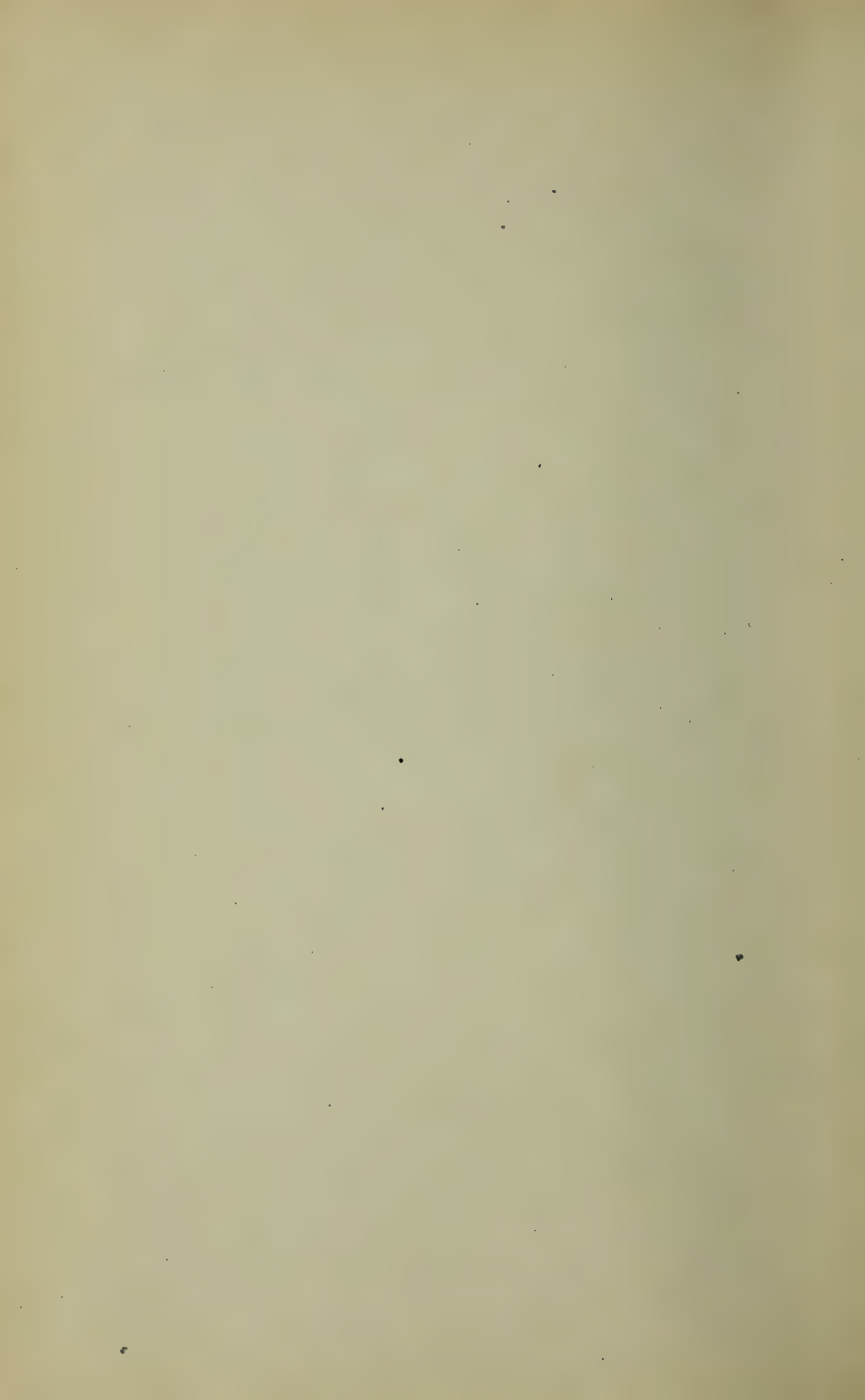
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JOURNAL

OF THE

SENATE OF MISSOURI

OF THE

THIRTY-FOURTH GENERAL ASSEMBLY.

(EXTRA SESSION.)

1887.



JEFFERSON CITY, MO.:

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1887.

JOURNAL OF THE SENATE.

FIRST DAY—WEDNESDAY, May 11, 1887.

The Senate met pursuant to a proclamation of his Excellency, Governor John S. Marmaduke.

The President in the chair.

Prayer by Rev. Vandeventer, Chaplain of Thirty-fourth General Assembly.

The Secretary read the following proclamation of the Governor, convening the General Assembly in extra session :

EXECUTIVE DEPARTMENT, }
CITY OF JEFFERSON. }

By virtue of authority in me vested by the Constitution of the State of Missouri, I, John S. Marmaduke, governor of the State of Missouri, do hereby convene the Thirty-fourth General Assembly of the State of Missouri in extra session, and I do hereby call upon the Senators and Representatives of the General Assembly aforesaid, to meet in their respective places in the capitol, in the City of Jefferson, at the hour of 12 o'clock M., on Wednesday, the eleventh day of May, A. D. 1887, for the following purposes :

To provide the legislative enactments necessary or expedient to enforce and execute those laws and principles with reference to railways and railroad companies which the people themselves have enacted and declared in their Constitution.

To make appropriation for the expenses of this extra session of the General Assembly.

In testimony whereof, I hereto set my hand and cause to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 25th day of March, A. D. 1887.

JOHN S. MARMADUKE,

By the Governor :

MICH'L K. McGRATH, Secretary of State.

The roll of the Senate was called and the following Senators answered to their names: Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Ketchum, Mackey, Mansfield, Moran, Parcher, Ryors, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart and Wood—26.

The following Senators did not answer to their names: Senators Jacobs, Kerwin, McGinnis, Proctor, Saltonstall, Webster and Allen—7.

Senator Hazell offered the following resolution, which was read:

Resolved, That the officers of the Senate in the regular session of the Thirty-fourth General Assembly, be declared the officers of the extra session, as follows:

President *pro tem.* D. A. Ball; Secretary, A. S. Coker; Assistant Secretary, H. L. Gray; Official Reporter, A. C. Lemmon; Engrossing Clerk, P. P. Ellis; Enrolling Clerk, A. F. Love; Sergeant-at-Arms, A. W. Ewing; Doorkeeper, J. L. Smith; Folder and Messenger, Henry Watson; Chaplain, Rev. C. I. Vandeventer; Page, Lee Barnage.

The resolution was adopted by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks, Taggart, Webster and Wood—28.

ABSENT—Senators Allen, Kerwin, Proctor, Ryors and Saltonstall—5.

Senator Johnson of Madison offered the following resolution:

Resolved, That the Senate committees, as organized at the Thirty-fourth General Assembly, stand as the committees of the extra session, except the Committee on Railroads and Internal Improvements, which shall consist of 13 members; but only the Committees on Railroads and Internal Improvements and Accounts shall employ clerks.

Senator Ball offered the following substitute for the resolution offered by Senator Johnson of Madison:

Resolved, That a committee of three be appointed to see and report to the Senate the committees necessary, and the amount of clerical force necessary for the committees and transaction of the business of the extra session.

The substitute was read and adopted.

Senator Simrall offered the following resolution, which was read and adopted:

Resolved, That the House be informed that the Senate of the extra session is duly organized and ready to proceed to business.

Senator Johnson of Montgomery offered the following resolution, which was read and adopted :

Resolved, That a committee of three be appointed to inform the Governor that the Senate is organized and ready for business.

The President appointed Senators Johnson of Montgomery, Castleman and McGinnis as committee to wait on the Governor.

The following communication was received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT : I am instructed by the House to inform the Senate that there has been introduced into and adopted by the House of Representatives the following resolution :

Resolved, That the Chief Clerk be instructed to notify the Senate that the House is now organized and ready for transaction of business.

Senator Johnson of Montgomery, from the committee appointed to wait on the Governor and notify him the Senate was ready for business, reported that the committee has performed that duty, and that the Governor would communicate with the Senate.

The President appointed as committee under the resolution of Senator Ball, Senators Ball, Simrall and Jacobs.

Senator Sebree offered the following resolution, which was read and adopted :

Resolved by the Senate, That the printed Senate rules, and also joint rules of the Thirty-fourth General Assembly be and the same are hereby adopted as the Senate rules of the extra session of the said Thirty-fourth General Assembly so far as applicable, except the rules authorizing the appointment of committees.

Senator Downing offered the following resolution, which was read and adopted :

Resolved, That the Senate tender to Senator Harmon its heartfelt sympathy in his sickness, and that the Senate sincerely regrets that the State has been deprived of his distinguished services, and the Senate of his able counsel and advice.

The following message was received from the Governor through his private secretary, Mr. Yantis, which was read :

CITY OF JEFFERSON, May 11, 1887.

Gentlemen of the General Assembly:

A little less than twelve years ago, the people of this State, by a popular vote, adopted a written Constitution in which are stated in strong and clear language those principles which should guide and control the General Assembly in its enactment of laws affecting railroads as public highways and railroad companies, as common carriers.

The provisions of that instrument not only determine some things that the General Assembly should not do in this regard, but they as clearly, and with more emphasis, declare some things it should do.

There is no reason to believe that the people have ever been disposed to revoke the demands therein expressed ; on the contrary, it is well known that they to-day are more unanimous and more earnest in such demands than they were twelve years ago.

No good could come from a discussion by me of why such demands have not heretofore been met by the representatives of the people. It is sufficient for us to know that the condition of affairs which led to such demands still exists ; that the people have the right to make such demands, and that, as a matter of fact, they do make them.

What these demands are, which I think most urgently call for action by you, I have recently stated to you gentlemen in my biennial message.

That the problems involved in the inquiry, "how best to meet these demands ?" are difficult of solution is good reason why the very best powers you have should be engaged in the work ; but it is no reason why the solution should be longer delayed.

That the properties involved or affected are of very great magnitude and of large value to our people, is good reason why the greatest caution should be observed that no injury is done to them ; but it is also a better reason why such laws should be enacted as will make these properties of the greatest possible value to the people, which they are not now, and will not become under the present laws.

Just six months ago, the people, your constituents, said by their votes that they believed you were willing and able to meet their demands. By calling you thus together to consider these questions, I have in the most conclusive manner expressed my own opinion of the importance of the questions and my faith in your ability to enact the proper legislation.

The opportunity for enacting such legislation is thus placed before you ; the duty and the labor is yours and yours alone.

JOHN S. MARMADUKE.

Senator Mackey placed Burt Winslow in nomination for the position of page of the Senate.

Senator Sparks nominated Robert Daniels for page of the Senate.

Senator Ball offered the following resolution which was read and adopted :

Resolved, That Mr. Winslow and Mr. Daniels be elected pages of this Senate.

Senator Ryors offered the following resolution which was read and laid over under the rules :

Resolved, That the proclamation of the Governor and his message to the extra session of this legislature be referred to the proper committee, when such committee has been duly appointed, with instructions to said committee to investigate and as speedily as possible report to this Senate: First, whether an extraordinary occasion exists to warrant the calling of the special session and the large amount of costs thereby entailed; second, what laws, if any, under such proclamation and message, can legally be enacted?

Senator Ball moved that when the Senate adjourn it adjourn to meet to-morrow morning at 10 o'clock. The motion was adopted.

On motion of Senator Sears the Senate adjourned.

SECOND DAY—THURSDAY, May 12, 1887.

The Senate met pursuant to adjournment. •

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following officers elected on yesterday were sworn in by the President of the Senate, namely: A. S. Coker, Secretary of the Senate; H. L. Gray, Assistant Secretary; Ashley W. Ewing, Sergeant-at-arms; J. L. Smith, Doorkeeper; P. P. Ellis, Engrossing Clerk; A. F. Love, Enrolling Clerk; A. C. Lemmon, Official Reporter.

Senator Ryors called up the following resolution offered on yesterday, which was read:

Resolved, That the proclamation of the Governor and his message to the extra session of this legislature be referred to the proper committee, when such committee has been duly appointed, with instructions to said committee to investigate and as speedily as possible report to this Senate: First, whether an extraordinary occasion exists to warrant the calling of the special session and the large amount of costs thereby entailed; second, what laws, if any, under such proclamation and message, can legally be enacted?

Senator Mackey moved the previous question, which was agreed to.

The question being the adoption of the resolution, the resolution was not adopted by the following vote:

AYES—Senators Davisson, Ryors and Webster—3.

NOES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks and Taggart—27.

ABSENT—Senators Jacobs, Kerwin and Wood—3.

Senator Ball introduced Senate bill No. 1, entitled "An act to regulate the transportation of freight and passengers, define the duties of Railroad Commissioners with regard thereto, and to repeal sections 820, 821 and 822 of article 2, chapter 21, and sections 833, 834, 835 838, 839, 840, 842 and 844 of article 3, chapter 21 of the Revised Statutes of the State of Missouri; also act of April 2, 1883, entitled "An act to prevent the change of rates for freight without notice thereof, by railroad companies in this State, being an act published in the session laws of 1883, and found on pages 51 and 52 of said session laws," which was read first time, rules suspended and 300 copies ordered printed.

Senator Ball submitted the following report from the special committee appointed to ascertain the committees and clerical force necessary, which was read:

MR. PRESIDENT: Your committee appointed to report the number of committees and clerical force necessary for the extra session, beg leave to report the following:

1. Committee on Judiciary.
2. Committee on Appropriations with one clerk.
3. Committee on Railroads and Internal Improvements, with one clerk.
4. Committee on Enrolled Bills, with chief clerk.
5. Committee on Engrossed Bills with chief clerk and three assistants, and that the enrolling clerk shall assist the engrossing clerk, and the engrossing clerk and assistants shall assist the enrolling clerk.
6. Committee on Accounts with one clerk.
7. Clerks to assist the Secretary of the Senate—One resolution clerk, one minute clerk, one rough journal clerk, one docket and bill clerk, three smooth journal clerks and one endorsing clerk.

The doorkeeper shall have the same amount of help that he had at the regular session.

Senator Johnson of Madison offered the following amendment to the report, which was read:

Resolved, That the committees agreed upon shall consist of the same number as in the regular session, except the Committee of Railroads and Internal Improvements, which shall consist of thirteen members.

Senator McGinnis moved to amend the amendment to the report by striking out "thirteen" and inserting "fifteen, one from each congressional district and one from the State at large." The amendment was agreed to.

The amendment, as amended, was agreed to.

The report of the committee, as amended, was agreed to.

Senator Smith introduced Senate bill No. 2, entitled "An act to regulate the transportation of freight by railroads, to prevent extortions, unjust discriminations, and to hereafter make the office of Railroad Commissioner appointive, to increase and define the powers of such office, and to fix the compensation thereof, and to provide a mode of adjusting differences between the shippers and railroads, and to establish penalties for the violations hereof, and to repeal sections 820, 821 of article 2, chapter 21, and sections 831, 833, 839, 840, 842, 844 of article 3 of chapter 21, Revised Statutes of Missouri, 1879."

The bill was read first time, the rules suspended and 300 copies ordered printed.

Senator Ketchum moved that when the Senate adjourn it adjourn to meet at 10 o'clock to-morrow.

Senator Downing was granted leave of absence until Monday.

On motion of Senator Gideon, the Senate adjourned.

THIRD DAY—FRIDAY, May 13, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Johnson of Madison introduced Senate bill No. 3, entitled "An act to regulate the transportation of freight by railroads, establish

maximum rates, prevent extortion, unjust discrimination and pooling by railroads; to provide remedies and penalties for the violation of the provisions of this act; to provide for the enforcing of the same, and to repeal sections 833, 834 and 842 of the Revised Statutes of 1879, and all acts and parts of acts inconsistent with the provisions of this act," which was read first time, and rules suspended and 300 copies ordered printed.

Senator Gideon moved that when the Senate adjourn it adjourn to meet Monday at 2 o'clock P. M. The motion was agreed to.

On motion of Senator Claycomb, the Senate adjourned.

FOURTH DAY—MONDAY, May 16, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Senator Claycomb introduced Senate bill No. 4, entitled "An act to correct abuses and prevent unjust discrimination and extortion in the rates of freight tariffs on the different railroads in this State, and to establish reasonable maximum rates of charges for the transportation of freight on said railroads, and to provide penalties for the violation of this act, and to further define the duties of the Railroad Commissioners, and to repeal sections 820, 821, 822 and 825 of article 2 of chapter 21, and sections 831, 832, 833, 834, 835, 842 and 844 of article 3 of chapter 21 of the Revised Statutes of the State Missouri, and all such other acts or parts of acts as are in conflict or inconsistent with this act," which was read first time, and rules suspended and 300 copies ordered printed.

The President laid before the Senate the following communication from the Secretary of State, Hon. Michael K. McGrath, which was read: *To the Honorable, the President of the Senate of Missouri:*

SIR: As required by law, I have the honor to inform your honorable body, that at an election held on the twelfth day of May, eighteen

hundred and eighty-seven, in the seventeenth Senatorial district, to fill the vacancy caused by the resignation of Hon. John P. Harmon, Samuel P. Sparks was elected Senator to fill said vacancy, as appears from the returns of said election in my office.

I have the honor to be,

Very respectfully,

Your obedient servant,

MICH'L K. McGRATH,

Secretary of State.

Senator-elect Samuel P. Sparks came forward and was sworn in by the President.

Senator Parcher introduced Senate bill No. 5, entitled "An act to enforce section No. 14 of article 12 of the Constitution of Missouri, relating to unjust discrimination in passenger tariffs on the railways of this State," was read first time, rules suspended and 300 copies ordered printed.

Senator Parcher introduced Senate bill No. 6, entitled "An act to prevent extortion and discrimination in railway charges in Missouri, and to fix maximum rates of charges for receiving, handling, transporting and delivering freight in this State, and to define more fully the duties of Railroad Commissioners, and to repeal sections 820, 821 and 822 of article No. 2, and sections 831, 833, 834, 835, 838, 842, 844 and 847 of article No. 3, all of chapter No. 21 of the Revised Statutes of Missouri of A. D. 1879," which was read first time, rules suspended and 300 copies ordered printed.

Senator Moran introduced Senate bill No. 7, entitled "An act to regulate and control the management of railways and railroad companies as public highways and common carriers; to correct abuses and prevent unjust discrimination and extortion in the rates of freight tariffs on the different railroads in this State; to prevent pooling; to prescribe the duties and increase the powers of the Railroad Commissioners, and provide the manner of their election, and to repeal all laws and parts of laws inconsistent with its provisions," which was read first time, rules suspended and 300 copies ordered printed.

Senator Ryors offered the following resolution, which was read:

Resolved, That the power of the Governor (so far as the purposes of this session are concerned) were exhausted when he issued his proclamation and followed it with his special message under said proclamation, and therefore, obedient to the Constitution which governs all branches and departments of this State, we refuse to receive this second message of the Governor or allow it to be read.

The resolution was lost by the following vote:

AYES—Senators Ryors and Webster—2.

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—30.

ABSENT—Senators Johnson of Madison and Proctor—2.

Senator McGinnis offered the following resolution, which was read and adopted:

Resolved, That there be printed for the use of the General Assembly, three hundred copies of the Interstate Commerce Act of Congress, relating to the control of railroads.

The President laid before the Senate the following messages from the Governor, which were read, and the consideration of the appointments therein postponed until to-morrow:

CITY OF JEFFERSON, May 13, 1887.

SIR: I have the honor to inform the Senate that I have appointed W. Pope Yeaman and George C. Pratt, both of Boone county, to the office of curator of the University of the State of Missouri, to fill vacancies caused by the resignation of E. W. Stephens and John S. Clarkson, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

CITY OF JEFFERSON, May 13, 1887.

SIR: I have the honor to inform the Senate that I have appointed Thomas Maupin for a term of one year, John Donovan, Jr., for a term of two years, and Bernard Patton for a term of three years, to the office of police commissioners of the city of St. Joseph, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

CITY OF JEFFERSON, May 13, 1887.

SIR: I have the honor to inform the Senate that I have appointed John C. Hope to the office of recorder of voters for the City of Kansas, for a term expiring the first day of January, 1891, in which appointment the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

The President announced the following standing committees:

Committee on Railroads and Internal Improvements:

Senators Johnson of Montgomery, Claycomb, Kerwin, Taggart, Castleman, Allen, Hazell, Sears, Hunter, Mansfield, Johnson of Madison, Jacobs, Gideon and Parcher. State-at-large, Senator Simrall.

Committee on Judiciary:

Senators Downing, Wood, Sebree, Smith, Moran, Saltonstall, McGinnis, Webster and Ryors.

Committee on Appropriations:

Senators Proctor, Sparks of Cass, Mackey, Ketchum, Davisson, Kelly and Seabourn.

Committee on Accounts:

Senators Mackey, Smith, Ketchum, Sheldon and Seabourn.

Committee on Enrolled Bills:

Senators Wood, Moran, Sebree, Sparks of Johnson and Sheldon.

Committee on Engrossed Bills:

Senators Ball, Sparks of Cass, Kelly, Ryors and Davison.

Senator Johnson of Madison was granted leave of absence until Wednesday noon.

Senator Ball moved that when the Senate adjourn it adjourn until 10 o'clock to-morrow.

On motion of Senator Downing, the Senate adjourned.

FIFTH DAY—TUESDAY, May 17, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Ketchum introduced Senate bill No. 8, entitled "An act to appropriate money to defray the necessary expenses of the extra

session of the Thirty-fourth General Assembly," which was read first time, rules suspended and the bill ordered not printed.

Senate bill No. 2, entitled "An act to regulate the transportation of freight by railways; to prevent extortion and unjust discrimination, and to hereafter make the office of Railroad Commissioner appointive; to increase and define the powers of such officer, and fix the compensation thereof; to provide a mode of adjusting differences between the railroads and shippers, and to establish penalties for violations hereof, and to repeal sections 831, 833, 834, 835, 839, 840, 842 and 844 of article 3, chapter 21, Revised Statutes of Missouri, and all other acts inconsistent with the provisions of this act," was read second time.

Senator Smith moved to refer the bill to the Committee of the Whole.

On motion of Senator Wood, the Senate adjourned until to-morrow morning, at 10 o'clock, by the following vote:

AYES—Senators Allen, Claycomb, Hazell, Jacobs, Johnson of Montgomery, Kerwin, Mackey, Parcher, Saltonstall, Sears, Sebree, Sheldon, Simrall, Sparks of Cass, Taggart, Webster and Wood—17.

NOES—Senators Ball, Davisson, Downing, Gideon, Hunter, Kelly, Ketchum, McGinnis, Mansfield, Moran, Proctor, Ryors, Smith and Sparks of Johnson—14.

ABSENT—Senators Castleman and Seabourn—2.

ABSENT WITH LEAVE—Senator Johnson of Madison.

SIXTH DAY—WEDNESDAY, May 18, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Sparks of Johnson introduced Senate bill No. 9, entitled "An act to provide for the building of switches and spurs to railroads," which was read first time, rules suspended and 300 copies ordered printed.

The President laid before the Senate the nomination of John C. Hope for the office of recorder of voters for the City of Kansas. The Senate consented to and confirmed the appointment by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Ketchum, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—29.

ABSENT—Senators Castleman, Kelly, McGinnis and Ryors—4.

ABSENT WITH LEAVE—Senators Johnson of Madison and Seabourn—2.

The Senate confirmed the appointment of W. Pope Yeaman, curator of the State University, by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Kerwin, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—26.

NO—Senator McGinnis.

ABSENT—Senators Johnson of Montgomery, Kelly, Ketchum and Ryors—4.

ABSENT WITH LEAVE—Senators Castleman, Johnson of Madison and Seabourn—3.

The Senate confirmed the appointment of George C. Pratt, curator of the State University, by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Sears, Sebree, Sheldon, Simrall, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—28.

ABSENT—Senators Johnson of Montgomery, Ryors and Smith—3.

ABSENT WITH LEAVE—Senators Castleman, Johnson of Madison and Seabourn—3.

The Senate confirmed the appointment of Thomas Maupin for the office of police commissioner of the city of St. Joseph for the term of one year, by the following vote:

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—27.

ABSENT—Senators Johnson of Montgomery, Mansfield, Ryors and Webster—4.

ABSENT WITH LEAVE—Senators Castleman, Johnson of Madison and Seabourn—3.

The Senate confirmed the appointment of John Donovan, Jr., for the office of police commissioner of the city of St. Joseph for the term of two years, by the following vote:

AYES — Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—29.

NO—Senator Ryors.

ABSENT—Senator Webster.

ABSENT WITH LEAVE—Senators Castleman, Johnson of Madison and Seabourn—3.

The Senate confirmed the appointment of Bernard Patton for police commissioner of St. Joseph for a term of three years, by the following vote:

AYES — Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—29.

NO—Senator Ryors.

ABSENT—Senator Webster.

ABSENT WITH LEAVE—Senators Castleman, Johnson of Madison and Seabourn—3.

The question recurring on the motion made on yesterday to refer Senate bill No. 2 to the Committee of the Whole, the President ruled that the Senator from Montgomery was entitled to the floor.

Senator Hazell moved that the Senate adjourn.

The motion was not agreed to by the following vote:

AYES—Senators Allen, Claycomb, Hazell, Johnson of Montgomery, Parcher, Saltonstall, Sears, Sebree, Simrall, Sparks of Cass, Sparks of Johnson, Taggart and Wood—13.

NOES—Senators Ball, Davisson, Downing, Gideon, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Sheldon, Smith and Webster—18.

ABSENT WITH LEAVE—Senators Castleman, Johnson of Madison and Seabourn—3.

Senator McGinnis moved the previous question, which was not agreed to by the following vote:

AYES — Senators Ball, Davisson, Downing, Gideon, Hunter,

Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Proctor, Ryors, Sheldon, Smith and Webster—17.

NOES—Senators Allen, Claycomb, Hazell, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sebree, Simrall, Sparks of Cass, Sparks of Johnson, Taggart and Wood—14.

ABSENT WITH LEAVE—Senators Castleman, Johnson of Madison and Seabourn—3.

On motion of Senator Sears, the Senate adjourned until to-morrow morning at 10 o'clock by the following vote :

AYES—Senators Allen, Claycomb, Hazell, Hunter, Jacobs, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears Sebree, Simrall, Sparks of Cass, Sparks of Johnson, Taggart and Wood—16.

NOES—Senators Ball, Davisson, Downing, Gideon, Kelly, Kerwin, Ketchum, Mansfield, Moran, Proctor, Ryors, Sheldon, Smith and Webster—14.

ABSENT—Senators McGinnis and Seabourn—2.

ABSENT WITH LEAVE—Senators Castleman and Johnson of Madison—2.

SEVENTH DAY—THURSDAY, May 19, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Mansfield introduced Senate bill No. 10, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations,'" which was read first time and 75 copies ordered printed.

Senator Seabourn was granted leave of absence until next Monday.

The further consideration of the reference of Senate bill No. 2 to the Committee of the Whole, was laid over informally.

Senate bill No. 1, entitled "An act to regulate the transportation of freight and passengers, define the duties of Railroad Commissioners with regard thereto, and to repeal sections 820, 821 and 822 of article 2, chapter 21, and sections 833, 834, 835, 838, 839, 840, 842 and 844 of article 3, chapter 21, of the Revised Statutes of the State of Missouri; also, act of April 2, 1883, entitled 'An act to prevent the change of rates for freight without notice thereof, by railroad companies in this State,' being an act published in the session laws of 1883, and found on pages 51 and 52 of session laws," was read second time and the reference to committee laid over informally.

Senate bill No. 3, entitled "An act to regulate the transportation of freight by railroads, establish maximum rates, prevent extortion, unjust discrimination and pooling by railroads, to provide remedies and penalties for the violation of the provisions of this act, to provide for the enforcing of the same, and to repeal sections 833, 834 and 842 of Revised Statutes of 1879, and all acts and parts of acts inconsistent with the provisions of this act," was read second time and referred to Committee on Railroads and Internal Improvements.

Senate bill No. 8, entitled "An act to appropriate money to defray the necessary expenses of the extra session of the Thirty-fourth General Assembly," was read second time and referred to the Committee on Appropriations.

Senator McGinnis moved that when the Senate adjourn it adjourn to meet to-morrow morning at 9 o'clock. The motion was agreed to.

On motion of Senator Jacobs, the Senate adjourned.

EIGHTH DAY—FRIDAY, May 20, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Smith was granted leave of absence till Tuesday next.

Senator Allen was granted leave of absence until Monday noon.

Senator Kerwin was granted leave of absence until Monday at 2 o'clock.

Senator McGinnis rose to a question of privilege.

The following Senate bills were read second time and referred to the Committee on Railroads and Internal Improvements :

Senate bill No. 4, entitled "An act to correct abuses and prevent unjust discrimination and extortion in the rates of freight tariffs on the different railroads in this State; and to establish reasonable maximum rates of charges for the transportation of freight on said railroads, and to provide penalties for the violation of this act, and to further define the duties of the Railroad Commissioners, and to repeal sections 820, 821, 822 and 825 of article 2 of chapter 21, and sections 831, 832, 833, 834, 835, 842 and 844 of article 3 of chapter 21 of the Revised Statutes of the State of Missouri, and all such other acts or parts of acts as are in conflict or inconsistent with this act ;"

Also, Senate bill No. 9, entitled "An act to provide for the building of switches and spurs to railroads ;"

Senator Jacobs moved that when the Senate adjourn it adjourn until 3 o'clock Monday afternoon.

The motion was agreed to.

Senator Mansfield offered the following resolution, which was read and adopted :

Resolved, That the Railroad Commissioners of this State be requested to make out and furnish to the Committee on Railroads and Internal Improvements, what, in the judgment of said commissioners, would be a schedule of reasonable maximum rates of charge for transportation of freight and cars on each of the railroads in this State.

On motion of Senator Sheldon, the Senate adjourned.

NINTH DAY—MONDAY, May 23, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

The following message was received from the Governor through Mr. Yantis, private secretary, which was read:

CITY OF JEFFERSON, May 23, 1887.

SIR: I have the honor to recommend to the consideration of the General Assembly the subject of appropriations of money for the deficiencies in the appropriations for the years 1885 and 1886, and for the payment of other legal demands against the State for the payment of which no appropriation has hitherto been made.

A bill for the appropriation of money for the purposes indicated was at the regular session of this General Assembly passed by both Houses, but by accident appears to have been mislaid and therefore was not enrolled or presented for my approval.

I recommend legislative action upon these subjects.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

Senator Gideon introduced joint and concurrent resolution No. 1, "Providing for the adjournment of the extra session of the Thirty-fourth General Assembly on May 31, 1887," which was read first time, rules suspended and ordered not printed.

Senate bill No. 5, entitled "An act to enforce section No. 14 of article 12 of the Constitution of Missouri relating to unjust discrimination in passenger tariffs on the railways of this State," was read second time and referred to the Committee on Railroads and Internal Improvements.

Senate bill No. 6, entitled "An act to prevent extortion and discrimination in railway charges in Missouri, and to fix maximum rates of charges for receiving, handling, transporting and delivering freight in this State, and to define more fully the duties of the Railroad Commissioners, and to repeal sections 820, 821 and 822 of article No. 2, and sections 831, 833, 834, 835, 838, 842, 844 and 847 of article No. 3, all of chapter No. 21 of the Revised Statutes of Missouri of A. D. 1879," was read second time and referred to Committee on Railroads and Internal Improvements.

Senate bill No. 7, entitled "An act to regulate and control the management of railways and railroad companies, as public highways and common carriers, to correct abuses and prevent unjust discrimination and extortion in the rates of freight tariffs on the different railroads in this State, to prevent pooling, to prescribe the duties and increase the

powers of the Railroad Commissioners, and provide the manner of their selection, and to repeal all laws and parts of laws inconsistent with its provisions," was read second time and laid over informally.

Senate bill No. 10, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations,'" was read second time and referred to the Committee on Railroads and Internal Improvements.

On motion of Senator Ryors, the Senate adjourned until to-morrow morning at 10 o'clock.

TENTH DAY—TUESDAY, May 24, 1887.

The Senate met pursuant to adjournment.

The President in the Chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Sparks of Cass introduced Senate bill No. 11, entitled "An act to provide for the prevention of accidents to railroad employes and others, by requiring that switches, frogs and guard rails be properly blocked," which was read first time, rules suspended and bill ordered not printed.

Senator Sparks submitted the following report from the Committee on Appropriations, which was read :

MR. PRESIDENT: Your Committee on Appropriations, to whom was referred Senate bill No. 8, entitled "An act to appropriate money to defray the necessary expenses of the extra session of the Thirty-fourth General Assembly," recommend that the bill do pass.

Senator Claycomb offered the following resolution, which was read and adopted :

Resolved, That the chairman of the Committee on Railroads and Internal Improvements be authorized to rent a room, in which to hold the meetings of said committee during the remainder of this session.

Senator Sebree introduced Senate bill No. 12, entitled "An act to

amend sections 820 and 821, Revised Statutes, 1879, and to add sections 847*a*, 847*b*, 847*c* and 847*d* to chapter 21, Revised Statutes, 1879, and to provide additional penalties to said chapter, and empower the Railroad Commissioners to make findings of facts and make the same *prima facie* evidence," which was read first time, rules suspended and 300 copies ordered printed.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 9, entitled "An act to appropriate money for pay and expenses of the extra session of the Thirty-fourth General Assembly of the State of [Missouri," with an emergency clause, which was adopted.

Senator Johnson of Montgomery submitted a report from the committee appointed to obtain from the Railroad Commissioners a schedule of maximum rates for railroad transportation, which was received and 2,500 copies ordered printed.

House bill No. 9, entitled "An act to appropriate money for pay and expenses of the extra session of the Thirty-fourth General Assembly of the State of Missouri," was read first time.

Senator Moran² offered the following resolution, which was read and adopted:

Resolved, That no Senator be entitled to more than twenty-five copies of any bill, and that any Senator having more than that number of any bills printed for the information of the Senate and House be requested to return the same to the bill clerk.

Senator Ball was granted leave of absence until to-morrow morning, and Senators Webster, Proctor, Wood and Downing until Thursday.

Senator Sheldon moved that the Senate adjourn until 10 o'clock Thursday morning. The motion was not agreed to by the following vote:

AYE—Senator Sheldon.

NOES—Senators Allen, Castleman, Claycomb, Davisson, Gideon, Hazell, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks of Cass, Sparks of Johnson and Taggart—25.

ABSENT—Senators Hunter and Moran—2.

ABSENT WITH LEAVE—Senators Ball, Downing, Jacobs, Proctor, Webster and Wood—6.

Senator Castleman moved that when the Senate adjourn it adjourn until to morrow morning at 9 o'clock. The motion was adopted.

On motion of Senator Ryors, the Senate adjourned.

ELEVENTH DAY—WEDNESDAY, May 25th, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator McGinnis offered the following resolution, which was read and adopted:

Resolved, That the Committee on Railroads and Internal Improvements of the Senate be and they are hereby instructed to hear the statements of railroad managers, of shippers of all classes, as well as of farmers and others, upon the following points:

1. What constitutes reasonable maximum rates for freight, taking the schedule furnished by the Railroad Commissioners as the basis of the estimate?

2. What are the advantages and disadvantages of pooling?

3. Will a provision of law prohibiting a greater charge for a shorter than for a longer haul be beneficial to the general public; and if so, how?

4. Should the custom of rebates be abolished; and if so, why?

Resolved, That the committee shall devote such time as may be necessary to the hearing of evidence upon the foregoing points, holding their sessions in the Senate chamber.

Resolved, That all persons interested in these questions (within our State) are hereby invited to appear before said committee and present their views thereon as briefly and pointedly as the nature of the case will permit.

Resolved, That the said committee is hereby directed to employ a competent short-hand writer and have full notes taken of the statements made before it on the questions herein presented, and to report

the same to the Senate, together with its conclusions thereon, by bill or otherwise, at as early a day as practicable.

Senator Kerwin moved that the Committee on Railroads and Internal Improvements be furnished a copy of the foregoing resolution. The motion was agreed to.

House bill No. 9, entitled "An act to appropriate money for pay and expenses of the extra session of the Thirty-fourth General Assembly of the State of Missouri," was read second time and referred to the Committee on Appropriations.

Senate bill No. 11, entitled "An act to provide for the prevention of accidents to railroad employes and others by requiring that switches, frogs and guard rails be properly blocked," was read second time and referred to Committee on Railroads and Internal Improvements.

Senator Ryors moved that when the Senate adjourn it adjourn to meet at 9 o'clock to-morrow morning. The motion was agreed to.

Senator McGinnis offered the following resolution, which was laid over one day :

Resolved, That during the remainder of this session the meetings of the Senate shall be at 9 o'clock A. M. daily.

On motion of Senator Sears, the Senate adjourned.

TWELFTH DAY—THURSDAY, May 26, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following resolution, offered on yesterday by Senator McGinnis, was read and adopted :

Resolved, That during the remainder of this session the meetings of the Senate shall be at 9 o'clock A. M. daily.

Senator Proctor introduced Senate bill No. 12, entitled "An act to prevent extortion and unjust discrimination by railroad corporations ; to increase the powers and duties of the Railroad Commissioners and to repeal sections 820, 821, 822, article 2, chapter 21, and sections 833,

834, 835, 838, 839, 840, 842 and 844, article 3, chapter 21, Revised Statutes of Missouri; also, act of April 2, 1883, entitled 'An act to prevent the change of rates of freight without notice thereof by railroads in this State, found on pages 51 and 52 of session acts of 1883,' which was read first time, rules suspended and 300 copies ordered printed.

Senator Sparks of Cass, submitted the following report from the Committee on Appropriations, which was read:

MR. PRESIDENT: Your Committee on Appropriations, to whom was referred House bill No. 9, entitled "An act to appropriate money for pay and expenses of the extra session of the Thirty-fourth General Assembly of the State of Missouri," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Ketchum was granted leave of absence till Monday.

On motion of Senator Gideon, the rules were suspended and House bill No. 9, entitled "An act to appropriate money for pay and expenses of the extra session of the Thirty-fourth General Assembly of the State of Missouri," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Gideon, Jacobs, Johnson of Madison, Kelly, Kerwin, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Sheldon, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—20.

NOES—Senators Claycomb, Hazell, Johnson of Montgomery, Mansfield, Seabourn, Sears, Sebree, Simrall and Smith—9.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Downing, Hunter, Ketchum and Moran—4.

The emergency clause was adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Gideon, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—25.

NOES—Senators Claycomb, Hazell, Sears and Sebree—4.

ABSENT—Senators Moran and Ryors—2.

ABSENT WITH LEAVE—Senators Downing, Hunter and Ketchum—3.
The title was read and agreed to.

Senator Mansfield moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

On motion of Senator Johnson of Montgomery, the Senate adjourned.

THIRTEENTH DAY—FRIDAY, May 27, 1887.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Seabourn was granted leave of absence until Monday.

Senator Ryors moved that when the Senate adjourn it adjourn until 2 o'clock Monday next.

The motion was carried by the following vote:

AYES—Senators Ball, Castleman, Davisson, Hazell, Hunter, Jacobs, Johnson of Montgomery, Kerwin, Mansfield, Proctor, Ryors, Saltonstall, Sebree and Smith—14.

NOES—Senators Allen, Claycomb, Gideon, Johnson of Madison, Sears, Sheldon, Sparks of Cass, Taggart and Wood—9.

ABSENT—Senators Kelly, McGinnis, Simrall and Webster—4.

ABSENT WITH LEAVE—Senators Downing, Ketchum, Mackey, Moran, Parcher, Seabourn and Sparks of Johnson—7.

Senator Taggart offered the following resolution:

Resolved, That the chairman of the Committee on Railroads and Internal Improvements be instructed to employ, under the resolution heretofore adopted, a shorthand writer at \$10 per day, and said committee are directed to have the notes of said testimony transcribed at a price not to exceed 20 cents per folio, and that the same, when transcribed, shall be reported to the Senate, from time to time, whenever the amounts transcribed equals or exceeds twenty pages, and shall be printed and laid upon the tables of the Senators. Five thousand copies of said testimony shall be printed.

The resolution was read and adopted by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Gideon, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mansfield, Proctor, Ryors, Saltonstall, Sears, Sebree, Sheldon, Smith, Taggart, Webster and Wood—21.

NOES—Senators Claycomb, Hazell, Jacobs and Sparks of Cass—4.

ABSENT WITH LEAVE—Senators Downing, Ketchum, McGinnis, Mackey, Moran, Parcher, Seabourn, Simrall and Sparks of Johnson—9.

On motion of Senator Gideon, the Senate adjourned.

FOURTEENTH DAY—MONDAY, May 30, 1887.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Senator Johnson of Montgomery submitted the following reports from the Committee on Railroads and Internal Improvements, which were read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 11, entitled "An act to provide for the prevention of accidents to railroad employes and others, by requiring that switches, frogs and guard rails be properly blocked," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements to whom was referred Senate bil No. 10, entitled "An act to amend section 727, article 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations,' " beg leave to report that they have carefully examined the same and recommend the following substitute therefor.

The substitute was read and adopted.

On motion of Senator Moran, the Senate adjourned.

FIFTEENTH DAY—TUESDAY, May 31, 1887.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Downing offered the following resolution, which was read and laid over informally :

Resolved, That the Committee on Railroads and Internal Improvements be requested to report two bills on the subject of railroad legislation, one embracing the questions of pooling, extortion, discriminations, the long and short haul principle, and conferring on the commissioners authority to enforce the provisions of the law. The other bill to embrace the question of freight rates and the regulation thereof.

Substitute for Senate bill No. 10, entitled "An act to amend section 727, article 1, chapter 21 of the Revised Statutes of Missouri of 1879, entitled 'Of private corporations,'" was ordered engrossed and printed.

Senate bill No. 11, entitled "An act to provide for the prevention of accidents to railroad employes and others, by requiring that switches, frogs and guard rails be properly blocked," was ordered engrossed and printed.

Senator Ketchum was reported sick.

Senator Seabourn was granted leave of absence until Thursday.

Senate bill No. 12, entitled "An act to amend sections 820 and 821, chapter 21, Revised Statutes of 1879, entitled 'Railroad corporations,' and to add section 847*a* to said chapter, legalizing pooling among parallel and competing lines, under certain conditions and limitations, and to add section 847*b* to said chapter 21, authorizing railroad corporations to make special rates under certain limitations and conditions, and to add said chapter 21, section 847*c*, requiring railroad corporations to permit shippers to select the line or lines of railroad over which the consignor desires the property to be shipped, and to add section 847*d* to said chapter 21, requiring the Railroad Commissioners to investigate and make a finding of any and all complaints against any railroad company for violation of law, and forward such finding to the court having jurisdiction, which finding shall be *prima facie* evidence of such violation in all suits against the railroad corporation, and adding to chapter 21, section 847*e*, requiring Railroad Commissioners to inquire into and hear all complaints against railroad corporations for violations of law of the Revised Statutes, 1879, and of this act," was read second time and laid over informally.

On motion of Senator Downing, the Senate adjourned.

SIXTEENTH DAY—WEDNESDAY, June 1, 1877.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 9, entitled "An act to provide for the building of switches and spurs to railroads," and announced on the reading of the bill that unless objection be made, he would sign the same to the end that it become a law. The bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, and no other business intervening, at the completion of the reading of the bill, affixed his signature thereto.

Senator Ball introduced the following resolution:

Resolved, That the Committee on Engrossment and Printing and Enrolled Bills be authorized to rent a committee room, to be used jointly, which was read and agreed to.

Senator Downing withdrew the resolution offered by himself on yesterday.

Senate bill No. 13, entitled "An act to prevent extortion and unjust discrimination by railroad corporations, to increase the powers of and duties of the Railroad Commissioners, and to repeal sections 820, 821, 822, article 2, chapter 21, sections 833, 834, 835, 838, 839, 840, 842 and 844, article 3, chapter 21, Revised Statutes of Missouri; also, act of April 2, 1883, entitled 'An act to prevent the change of rates of freight without notice thereof by railroads in this State, found on pages 51 and 52 of session acts of 1883,' was read second time and referred to Committee on Railroads and Internal Improvements; "

Also, Senate bill No. 12, entitled "An act to amend sections 820 and 821, chapter 21, Revised Statutes of 1879, entitled 'Railroad corporations,' and to add section 847*a*, to said chapter, legalizing pooling among parallel and competing lines, under certain conditions and limitations, and to add section 847*b* to said chapter 21, authorizing railroad corporations to make special rates under certain limitations and conditions, and to add to said chapter 21, section 847*c*, requiring railroad corporations to permit shippers to select the line or lines of rail-

road over which the consignor desires the property to be shipped, and to add section 847*d* to said chapter 21, requiring the Railroad Commissioners to investigate and make a finding of any and all complaints against any railroad company for violation of law, and forward such finding to the court having jurisdiction, which finding shall be *prima facie* evidence of such violation in all suits against the railroad corporation, and adding to chapter 21, section 847*e*, requiring Railroad Commissioners to inquire into and hear all complaints against railroad corporations for violations of law of the Revised Statutes, 1879, and of this act," was read second time and referred to Committee on Railroads and Internal Improvements.

Senator Johnson of Montgomery submitted the following reports from the Committee on Railroads and Internal Improvements:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 5, entitled "An act to enforce section 14 of article No. 12 of the Constitution of Missouri, relating to unjust discrimination in passenger tariffs on the railways of this State," with an emergency clause, beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 9, entitled "An act to provide for the building of switches and spurs to railroads," beg leave to report that they have carefully examined the same and recommend that it do pass.

On motion of Senator Seabee, the Senate adjourned until to-morrow morning at 9 o'clock.

SEVENTEENTH DAY—THURSDAY, June 2, 1887.

Senate met pursuant to adjournment.

President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Ball introduced Senate bill No. 14, entitled "An act to

amend section 797, chapter 21, article 2 of the General Statutes of Missouri," which was read first time and 75 copies ordered printed.

Senate bill No. 5, entitled "An act to enforce section No. 14 of article 12 of the Constitution of Missouri, relating to unjust discrimination in passenger tariffs on the railways of this State," was taken up, and Senator Davisson offered the following amendment:

Amend by inserting after the word "agricultural," in line thirteen, the words "mechanical, labor," so that the bill will read, when amended: "Religious, agricultural and mechanical, labor or educational societies."

Senator Parcher offered the following amendment to the amendment:

Amend amendment by striking out the word "labor," which was not agreed to by the following vote:

AYES—Senators Allen, Claycomb, Hazell, Hunter, Parcher, Ryors, Saltonstall, Sparks of Johnson and Taggart—9.

NOES—Senators Ball, Castleman, Davisson, Downing, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Proctor, Seabourn, Sears, Seabee, Sheldon, Simrall, Smith, Webster and Wood—20.

ABSENT WITH LEAVE—Senators Gideon, Jacobs, Ketchum Moran and Sparks of Cass—5.

Senator Sparks of Cass granted leave of absence until Monday.

Senator Jacobs reported sick.

Senator McGinnis offered the following amendment to the amendment:

Amend the amendment by inserting after the word "labor," the word "benevolent," and the words "posts of the Grand Army of the Republic," and "ex-Confederate Association of Missouri," after the word "societies."

Senator Johnson of Montgomery moved to adjourn until to-morrow morning at 9 o'clock. The motion was agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Hazell, Hunter, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Sears, Simrall, Smith, Sparks of Johnson Taggart and Wood—22.

NOES—Senators Davisson, Johnson of Madison, Ryors, Seabourn, Seabee, Sheldon and Webster—7.

ABSENT WITH LEAVE—Senators Gideon, Jacobs, Ketchum, Moran and Sparks of Cass—5.

EIGHTEENTH DAY—FRIDAY, June 3, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Johnson of Montgomery, from the Committee on Railroads and Internal Improvements, submitted the testimony of Mr. Ripley and Mr. Trimble, which was ordered printed according to the resolution.

Senator Wood submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred substitute for Senate bill No. 10, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations,'" beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senate bill No. 9, entitled "An act to provide for the building of switches and spurs to railroads," was taken up and ordered engrossed and printed.

Senator Castleman introduced the following resolution:

Resolved, That the pages and folder of the Senate shall report for duty to and be subject to the control of the Secretary of the Senate, and said Secretary shall have the authority and is hereby directed to discharge either of said pages or folder whenever, in his opinion, they do not properly attend to and discharge their duties.

Which was read first and second times and agreed to.

Senator McGinnis moved that when the Senate adjourn it adjourn until Monday at 3 p. m. The motion was agreed to.

On motion of Senator McGinnis, the Senate adjourned.

NINETEENTH DAY—MONDAY, June 6, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by Mr. Davis of the House.

Journal of Friday read and approved.

Senator Sparks of Cass submitted the following reports from the Committee on Engrossed Bills, which were read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 9, entitled "An act to provide for the building of switches and spurs to railroads," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished the Senators are correct.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 11, entitled "An act to provide for the prevention of accidents to railroad employes and others, by requiring that switches, frogs and guard rails be properly blocked," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished the Senators are correct.

Senator Ball was granted leave of absence till to-morrow.

Senate bill No. 14, entitled "An act to amend section 797, chapter 21, article 2 of the General Statutes of Missouri," was taken up, read second time and referred to the Committee on Railroads and Internal Improvements.

Senate bill No. 7, entitled "An act to regulate and control the management of railways and railroad companies, as public highways and common carriers, to correct abuses and prevent unjust discrimination and extortion in the rates of freight tariffs on the different railroads in this State, to prevent pooling, to prescribe the duties and increase the powers of the Railroad Commissioners, and provide the manner of their selection, and to repeal all laws and parts of laws inconsistent with its provisions," was taken up.

Senator Moran offered the following amendment to Senate bill No. 7:

Amend section 6 of printed bill by striking out the word "maxi-

munum," in the 2d, 11th and 70th lines of said section, and by substituting the word "reasonable" for the word "maximum," in the 16th line.

The amendment, was read first and second times and agreed to.

The bill, as amended, was referred to the Committee on Railroads and Internal Improvements.

Senate bill No. 5, entitled "An act to enforce section 14 of article No. 12, of the Constitution of Missouri, relating to unjust discrimination in passenger tariffs on the railways of this State," with an emergency clause, was taken up, and Senator Parcher offered the following substitute for pending amendments offered by Senators McGinnis and Davisson :

Substitute for pending amendments to section No. 1 of Senate bill No. 5. Amend said section by striking out all between the word "company," in the ninth line, and the word "provided," in the fourteenth line, and by inserting the following: "Nor to the families of such officers or employes; nor shall it be held to prevent exchanging passes or tickets with other railway companies or their officers or employes; nor the issuance of commutation tickets or excursion tickets at special rates; nor the granting of free transportation to licensed gospel ministers, or for purely charitable purposes."

The substitute was read first and second times and agreed to.

The following communications were received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 1, entitled "An act to amend an act entitled 'An act to amend section 790 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, entitled 'Railroad companies,' approved March 26, 1881;'"

Also, House bill No. 32, entitled "An act to amend article 2 of chapter 21 of the Revised Statutes of Missouri for 1879, entitled 'Of railroad companies,' by enacting three new sections, to be known as sections 766a, 766b and 766c, in relation to foreign railroad corporations or associations coming into and doing business in this State, and fixing a penalty for a failure to comply with the provisions of this act, and repealing all acts or parts of acts inconsistent with this act."

In which the concurrence of the Senate is respectfully requested.

Senator Parcher offered the following amendment to Senate bill No. 5:

Amend section No. 1, of printed bill, by striking out "\$500," in line No. 18 and by inserting in lieu thereof "\$100."

The amendment was read first and second times and agreed to.

Senator Parcher offered the following amendment to Senate bill No. 5:

Amend section No. 2, of printed bill, by striking out all after the word "than," in the eighth line of said section, and by inserting in lieu thereof the figures and words, "\$10 nor more than \$50."

The amendment was read first and second times and agreed to.

Senator Claycomb offered the following amendment to Senate bill No. 5:

Amend by striking out, in the first line of section 1, the words "or other transportation," and by striking out, in the ninth line of said section, the words "or transportation," and by striking out, in the sixteenth line of said section, the words "or transportation."

The amendment was read first and second times and agreed to.

Senator Ryors moved to recommit Senate bill No. 5 to the Committee on Railroads and Internal Improvements. The motion was not agreed to.

Senator Claycomb offered the following amendment to Senate bill No. 5:

Amend section 2 by striking out, in the third line, the words "or transportation company," and also by striking out, in the fifth line, the words "or transportation."

The amendment was read first and second times and agreed to.

Senator Wood offered the following amendment to Senate bill No. 5:

Amend section 3, printed bill No. 5, by striking out the words "or transportation company," in line nine; also amend section 4 by striking out the words "or transportation," in the third and fourth lines and the words "or transportation," in line five, printed bill.

The amendment was read first and second times and agreed to.

Senator Gideon was granted leave of absence till to-morrow.

Senator Jacobs was reported sick.

Senator Sears moved the previous question. The motion was not agreed to.

Senators Webster, Kerwin, Mackey, Hunter, Seabourn and Sheldon were granted leave of absence till to-morrow.

Senator Moran moved to adjourn. The motion was not agreed to.

Senator Moran offered the following amendment to Senate bill No. 5.

Amend by inserting after the word "company," at the end of the 9th line of section 1, the following: "Or to members of the militia or any military company of this State when going to or returning from

any scene of insurrection, riot or rebellion within the borders of this State."

The amendment was not agreed to.

Senator Ryors offered the following amendment to Senate bill No. 5: Strike out all of sections 3 and 4.

The amendment was not agreed to.

Senator Parcher moved that the bill, as amended, be engrossed and printed.

The motion was agreed to by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mansfield, Parcher, Saltonstall, Sears, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—16.

NOES—Senators Davisson, Downing, Kelly, Moran, Proctor, Ryors and Sebree—7.

ABSENT—Senator McGinnis.

ABSENT WITH LEAVE—Senators Ball, Gideon, Hunter, Kerwin, Ketchum, Mackey, Seabourn, Sheldon and Webster—9.

SICK—Senator Jacobs.

The following House bills were read the first time:

House bill No. 1, entitled "An act to amend an act entitled 'An act to amend section 790 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, entitled 'Railroad companies,' approved March 26, 1881;'"

Also, House bill No. 32, entitled "An act to amend article 2 of chapter 21 of the Revised Statutes of Missouri for 1879, entitled 'Of railroad companies,' by enacting three new sections, to be known as sections 766*a*, 766*b* and 766*c*, in relation to foreign railroad corporations or associations coming into and doing business in this State, and fixing a penalty for a failure to comply with the provisions of this act, and repealing all acts or parts of acts inconsistent with this act."

On motion of Senator Smith, the Senate adjourned till to-morrow morning at 9 o'clock.

TWENTIETH DAY—TUESDAY, June 7, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator McGinnis offered the following resolution, which was read :

Resolved, That in the opinion of this Senate the "Capitol Improvement Commissioners" ought to so frame the contract for the extension of the capitol building as to secure the use of Missouri stone in such extension, and that the people of this State will not be satisfied with the importation of stone for use in our capitol while the very best of stone can be conveniently obtained in any quantity in our own State, and the Secretary of the Senate shall furnish the commissioners a copy of these resolutions.

Senator Ryors offered the following substitute for the resolution, which was read :

Resolved, That the action of the commissioners for the construction of the improvements of the capitol, in so framing the specifications of the contract as to admit of foreign stone to be used in the building, and thereby preventing the stone quarries of this State from having a monopoly in the matter of furnishing said stone, at the expense of the public purse, meets our hearty approval.

The substitute was not agreed to by the following vote :

AYES—Senators Hazell and Ryors—2.

NOES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—29.

ABSENT—Senators Davisson and Moran—2.

SICK—Senator Jacobs.

The resolution was then read and adopted by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—28.

NOES—Senators Allen, Parcher, Ryors and Simrall—4.

ABSENT—Senator Moran.

SICK—Senator Jacobs.

House bill No. 1, entitled "An act to amend an act entitled 'An act to amend section 790 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, entitled 'Railroad companies,' approved

March 26, 1881," was read second time and referred to the Committee on Railroads and Internal Improvements.

House bill No. 32, entitled "An act to amend article 2 of chapter 21 of the Revised Statutes of Missouri for 1879, entitled 'Of railroad companies,' by enacting three new sections to be known as sections 766*a*, 766*b* and 766*c*, in relation to foreign railroad corporations or associations coming into and doing business in this State, and fixing a penalty for a failure to comply with the provisions of this act, and repealing all acts or parts of acts inconsistent with this act," was read second time and referred to the Committee on Railroads and Internal Improvements.

Senator McGinnis offered the following resolution, which was read and adopted :

Resolved, That the chairman of the Committee on Internal Improvements be directed to have the testimony taken before his committee printed wherever he can have it done soonest, to be paid for out of the contingent fund of the General Assembly.

On motion of Senator Johnson, the Senate adjourned until 9 o'clock to-morrow morning.

TWENTY-FIRST DAY—WEDNESDAY, June 8, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Substitute for Senate bill No. 10, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations,'" was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Claycomb, Davisson, Downing, Gideon, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Proctor, Seabourn,

Sears, Sebree, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—26.

NOES—Senators Castleman, Hazell, Mackey, Ryors, Saltonstall and Sheldon—6.

ABSENT—Senator Hunter.

SICK—Senator Jacobs.

The title was read and agreed to.

Senator Mansfield moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senate bill No. 9, entitled "An act to provide for the building of switches and spurs to railroads," was read third time and laid over informally.

The following message was received from the Governor, through Mr. Yantis, private secretary, which was read:

CITY OF JEFFERSON, June 7, 1887.

SIR: I have the honor to inform the Senate that I have appointed Dr. Joseph K. Cole of Barton county and William M. Bunce of Vernon county to the office of managers of State Lunatic Asylum No. 3, for a term of two years, and also Dr. Joseph R. Robinson of Henry county, Henry C. Moore of Vernon county and Daniel C. Kennedy of Greene county for a term of three years, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

On motion of Senator Sparks of Cass, Senate bill No. 11, entitled "An act to provide for the prevention of accidents to railroad employes and others, by requiring that switches, frogs and guard rails be properly blocked," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—30.

NOES—Senators Mansfield, Ryors and Sebree—3.

SICK—Senator Jacobs.

The title was read and agreed to.

Senator Sparks of Cass moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Parcher introduced Senate joint and concurrent resolution No. 2, providing that the extra session of the Thirty-fourth General

Assembly adjourn *sine die* at 12 M., on the 24th day of June, 1887. The resolution was read first time and laid over informally.

Senator Moran offered the following resolution, which was read and not agreed to:

Resolved, That the Committee on Railroads and Internal Improvements report back to the Senate, at the next regular meeting thereof, either with or without amendments, Senate bills Nos. 4 and 6, which were respectively referred to said committee on the 20th and 23d of May, 1887.

On motion of Senator Sparks of Johnson, the Senate adjourned until to-morrow morning at 9 o'clock.

TWENTY-SECOND DAY—THURSDAY, June 9, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Parcher called up joint and concurrent resolution No. 2, fixing the time of final adjournment at 12 M., on the 24th day of June, 1887.

On motion of Senator Sears, the further consideration of the resolution was postponed until the 14th of June, by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Kerwin, Mackey, Mansfield, Proctor, Saltonstall, Sears, Sebree, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—19.

NOES—Senators Davisson, Downing, Gideon, Ketchum, McGinnis, Parcher, Ryors, Seabourn, Sheldon and Webster—10.

ABSENT—Senators Johnson of Montgomery, Kelly, Moran and Simrall—4.

ABSENT WITH LEAVE—Senator Jacobs.

Senator Johnson of Montgomery was granted leave of absence until to-morrow.

Senate bill No. 2, entitled "An act to regulate the transportation of freight by railroads ; to prevent extortion and unjust discrimination, and to hereafter make the office of Railroad Commissioner appointive ; to increase and define the powers of such officers, and fix the compensation thereof ; to provide a mode of adjusting differences between the railroads and shippers, and establish penalties for violation hereof, and repeal sections 820 and 821 of article 2, chapter 21, and sections 831, 833, 839, 840, 842 and 844 of article 3 of chapter 21, Revised Statutes of Missouri for 1879," was read second time and referred to Committee on Railroads and Internal Improvements.

Senate bill No. 1, entitled "An act to regulate the transportation of freight and passengers ; define the duties of Railroad Commissioners with regard thereto, and to repeal sections 820, 821 and 822 of article 2, chapter 21, and sections 833, 834, 838, 839, 840, 842 and 844 of article 3, chapter 21 of the Revised Statutes of Missouri ; also, act of April 2, 1883, entitled 'An act to prevent the change of rates for freight without notice thereof by railroad companies in this State,' being an act published by the session laws of 1883, and found on pages 51 and 52 of said session laws," was read second time and referred to Committee on Railroads and Internal Improvements.

Senate bill No. 9, entitled "An act to provide for the building of switches and spurs to railroads," was read third time and failed to pass by the following vote:

AYES—Senators Ball, Davisson, Downing, Hazell, Hunter, Mackey, Mansfield, Parcher, Sears, Simrall, Sparks of Cass, Sparks of Johnson and Wood—13.

NOES—Senators Allen, Castleman, Claycomb, Gideon, Johnson of Madison, Kerwin, Ketchum, McGinnis, Moran, Proctor, Ryors, Saltonstall, Seabourn, Seabee, Sheldon, Smith, Taggart and Webster—18.

ABSENT—Senator Kelly.

ABSENT WITH LEAVE—Senators Jacobs and Johnson of Montgomery—2.

The Senate confirmed the appointments of Dr. Joseph K. Cole of Barton county and William M. Bunce of Vernon county to the office of managers of State Lunatic Asylum No. 3, for a term of two years, and Dr. Joseph R. Robinson of Henry county, Henry C. Moore of Vernon county and Daniel C. Kennedy of Greene county, for a term of three years, by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Johnson of Madison, Kerwin,

Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—29.

NO—Senator Ryors.

ABSENT—Senators Kelly and Webster—2.

ABSENT WITH LEAVE—Senators Jacobs and Johnson of Montgomery—2.

On motion of Senator Claycomb, the Senate adjourned until tomorrow morning at 9 o'clock.

TWENTY-THIRD DAY—FRIDAY, June 10, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Sparks of Johnson introduced Senate bill No. 15, entitled "An act to provide for the building of switches and spurs to railroads, and the maintenance and operation of the same," which was read first time, rules suspended and 300 copies ordered printed.

Senator Sparks of Johnson and Mackey granted leave of absence until Monday.

Senator Ryors moved that when the Senate adjourn it adjourn to meet at 3 o'clock Monday. The motion was carried.

Senator McGinnis offered the following resolution, which was read and adopted:

Resolved, That the public printer be and is hereby instructed to place in the Senate Journal 1,000 copies of the statements and testimony taken by the Committee on Railroads, leaving 4,000 to be distributed to Senators.

Senator Johnson of Montgomery submitted the following report from the Committee on Railroads and Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred House bill No. 1, entitled "An act to amend an act entitled 'An act to amend section 790 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, entitled 'Of railroad companies,' approved March 26, 1881," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 5, entitled "An act to enforce section No. 14 of article 12 of the Constitution of Missouri, relating to unjust discrimination in passenger tariffs on the railways of this State," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator Gideon, the Senate adjourned.

TWENTY-FOURTH DAY—MONDAY, June 13, 1887.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Senate bill No. 15, entitled "An act to provide for the building of switches and spurs to railroads, and the maintenance and operation of same," was taken up, read second time and referred to the Committee on Railroads and Internal Improvements.

House bill No. 1, entitled "An act to amend an act entitled 'An act to amend section 79 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, entitled 'Railroad companies,' approved March 26, 1881," was taken up, and on motion of Senator Seabee, was laid over until to-morrow.

Senator Gideon moved that when the Senate adjourn it adjourn until 3 o'clock P. M. to-morrow.

On motion of Senator Gideon, the Senate adjourned until 3 o'clock P. M. to-morrow.

TWENTY-FIFTH DAY—TUESDAY, June 14, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Davisson offered the following resolution, which was read :

WHEREAS, The Thirty-fourth General Assembly has been convened in extra session for more than thirty days, at an expense of more than one thousand dollars per day, without having accomplished the purpose for which it was convened; and,

WHEREAS, The Committee on Railroads and Internal Improvements have, as we believe, acted in good faith in their endeavors to report a bill to this Senate, but have failed to do so up to this time; therefore, be it

Resolved, That the Senate proceed in Committee of the Whole to formulate a railroad bill.

The resolution was lost by the following vote :

AYE—Senator Davisson.

NOES—Senators Ball, Castleman, Claycomb, Gideon, Hazell, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Seabee, Sheldon, Simrall, Smith, Sparks of Cass, Taggart and Webster—27.

ABSENT WITH LEAVE—Senators Downing, Hunter, Sparks of Johnson and Wood—4.

SICK—Senators Allen and Jacobs—2.

The following communications were received from the House of Representatives, which were read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 11, entitled "An act requiring railroad companies to

connect their line with switches, and to furnish cars to shippers, and permitting shippers to furnish their own cars in certain cases, and prescribing penalties for the violation thereof ;”

Also, House bill No. 20, entitled “An act to require railroad companies to furnish to shippers of live stock, grain or other articles, cars in good repair, and to authorize shippers in certain cases to repair cars and recover the cost of such repairs from said company.”

In which the concurrence of the Senate is respectfully requested.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 11, entitled “An act to provide for the prevention of accidents to railroad employes and others, by requiring that switches, frogs and guard rails be properly blocked.”

Senator Allen reported sick.

Senator Sparks of Johnson granted leave of absence until Thursday.

Senator Hunter granted leave of absence until to-morrow morning.

Senator Parcher called up joint and concurrent resolution fixing the time of adjournment at 12 M. on the 24th of June, 1887.

Pending the consideration of the resolution the Senate adjourned, by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Sears, Sebree, Simrall, Smith, Sparks of Cass and Taggart—20.

NOES—Senators Davisson, Gideon, Ketchum, McGinnis, Ryors, Seabourn, Sheldon and Webster—8.

ABSENT WITH LEAVE—Senators Downing, Hunter, Sparks of Johnson and Wood—4.

SICK—Senators Allen and Jacobs—2.

TWENTY-SIXTH DAY—WEDNESDAY, June 15, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The consideration of the Senate joint and concurrent resolution fixing the date of adjournment on the 24th of June, which was the matter under discussion when the Senate adjourned on yesterday, was resumed.

On motion of Senator McGinnis, the further consideration of the matter was laid over until to-morrow.

Senator Sebree submitted the following report from the Committee on Enrolled Bills, which was read :

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 11, entitled "An act to provide for the prevention of accidents to railroad employes and others, by requiring that switches, frogs and guard rails be properly blocked," beg leave to report that they have carefully examined the same and find it truly enrolled.

The following House bills were read first time :

House bill No. 11, entitled "An act requiring railroad companies to connect their line with switches, and to furnish cars to shippers, and permitting shippers to furnish their own cars in certain cases, and prescribing penalties for the violation thereof ;"

Also, House bill No. 20, entitled "An act to require railroad companies to furnish to shippers of live stock, grain or other articles, cars in good repair, and to authorize shippers in certain cases to repair cars and recover the cost of such repairs from said company."

On motion of Senator Johnson of Montgomery, the Senate took a recess until 7:30 o'clock P. M.

NIGHT SESSION.

The President called the Senate to order.

The President announced that all other business would be suspended, and directed the Secretary to read at length Senate bill No. 11, entitled "An act to provide for the prevention of accidents to railroad employes and others by requiring that switches, frogs and guard rails be properly blocked," and announced that unless objection be made he would sign the same to the end that it become a law. The bill was read at length by the Secretary and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, read at length and signed by the Speaker and immediately presented to the Governor by the Secretary for his approval.

Senator Johnson of Montgomery moved that when the Senate adjourn it adjourn until 3 o'clock to-morrow afternoon.

The motion was carried.

The following communication was received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 38, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made;"

Also, House bill No. 40, entitled "An act to prescribe the charges on sleeping or palace cars on railroads in this State;"

Also, substitute for House bill No. 6, entitled "An act to repeal section 832 of article 3 of chapter 21 of the Revised Statutes of Missouri of 1879, and to enact a new section in lieu thereof, to be known as section 832 regulating passenger rates on railroads."

In which the concurrence of the Senate is respectfully requested.

The following House bills were read first time :

House bill No. 40, entitled "An act to prescribe the charges on sleeping or palace cars on railroads in this State;"

Also, House bill No. 38, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made;"

Also, substitute for House bill No. 6, entitled "An act to repeal section 832 of article 3 of chapter 21 of the Revised Statutes of Missouri of 1879, and to re-enact a new section on the same subject in lieu thereof, to be known as section 832, regulating passenger rates on railroads."

Senator Downing offered the following resolution, which was read :

Resolved, That the Committee on Railroads and Internal Improvements be requested to report back to the Senate without delay two bills: one prohibiting discriminations, rebates and drawbacks, extortion, regulating the long and short haul principle, and conferring on the Railroad Commissioners power to enforce the act; the other on the subject of rates and the regulation thereof.

Senator Smith offered the following substitute for the resolution, which was read :

Resolved, That the Committee be requested to bring in one bill embracing the general principles of a railroad bill, such as the Committee may deem proper, and another bill on classification of roads and a schedule of maximum rates based thereon.

On motion of Senator Downing, further consideration of the resolution was laid over informally.

On motion of Senator McGinnis, the Senate adjourned until tomorrow morning at 9 o'clock.

TWENTY-SEVENTH DAY—THURSDAY, June 16, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following message was received from the Governor, through his private Secretary, Mr. Yantis, which was read:

CITY OF JEFFERSON, June 16, 1887.

SIR: I have the honor to return to the Senate, with my approval indorsed thereon, bill No. 11, of the following title: "An act to provide for the prevention of accidents to railroad employes and others by requiring that switches, frogs and guard rails be properly blocked."

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

The following House bills were read second time and referred to the Committee on Railroads and Internal Improvements:

House bill No. 20, entitled "An act to require railroad companies to furnish to shippers of live stock, grain or other articles, cars in good repair, and to authorize shippers in certain cases to repair cars and recover the cost of such repairs from said company ;"

Also, House bill. No. 40, entitled "An act to prescribe the charges on sleeping or palace cars on railroads in this State ;"

Also, substitute for House bill No. 6, entitled "An act to repeal section 832 of article 3 of chapter 21 of the Revised Statutes of Missouri of 1879, and to re-enact a new section on the same subject in lieu thereof, to be known as section 832, regulating passenger rates on railroads ;"

Also, House bill No. 11, entitled "An act requiring railroad companies to connect their lines with switches, and to furnish cars to shippers, and permitting shippers to furnish their own cars in certain cases, and prescribing penalties for the violation thereof;"

House bill No. 38, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made," was read second time and referred to the Committee on Appropriations.

Senate bill No. 5, entitled "An act to enforce section 14 of article 12 of the Constitution of Missouri, relating to unjust discrimination in passenger tariffs on the railways of this State," was called up.

Senator McGinnis moved that the bill be laid over until July 4, 1887. The motion was not agreed to by the following vote:

AYES—Senators Davisson, Downing, Kerwin, McGinnis, Mackey, Mansfield, Moran, Proctor and Webster—9.

NOES—Senators Allen, Ball, Castleman, Claycomb, Gideon, Hazell, Johnson of Madison, Johnson of Montgomery, Ketchum, Parcher, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Taggart and Wood—21.

ABSENT—Senators Hunter, Jacobs and Kelly—3.

ABSENT WITH LEAVE—Senator Sparks of Johnson.

The bill was then read third time and failed to pass by the following vote:

AYES—Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Seabourn, Sears, Simrall, Smith, Taggart and Wood—14.

NOES—Senators Allen, Ball, Davisson, Downing, Gideon, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Proctor, Ryors, Sebree, Sheldon, Sparks of Cass and Webster—17.

ABSENT—Senators Hunter and Jacobs—2.

ABSENT WITH LEAVE—Senator Sparks of Johnson.

House bill No. 1, entitled "An act to amend an act entitled 'An act to amend section 790 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, entitled 'Railroad companies,' approved March 26, 1881," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Smith, Sparks of Cass, Taggart, Webster and Wood—26.

NOES—Senators Davisson, Kerwin, Ketchum, Ryors and Se-bree—5.

ABSENT—Senators Hazell and Jacobs—2.

ABSENT WITH LEAVE—Senator Sparks of Johnson.

The title was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

On motion of Senator McGinnis, the Senate took a recess for 30 minutes.

The President called the Senate to order.

Senator Johnson of Montgomery, submitted the following report from the Committee on Railroads and Internal Improvements, which was read :

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 1, entitled "An act to regulate the transportation of freight and passengers, define the duties of the Railroad Commissioners with regard thereto, and to repeal sections 820, 821 and 822 of article 2, chapter 21, and sections 833, 834, 835, 838, 839, 840, 842 and 844 of article 3, chapter 21 of the Revised Statutes of the State of Missouri; also act of April 2, 1883, entitled 'An act to prevent the change of rates for freight without notice thereof, by railroad companies in this State,' being an act published in the session laws of 1883, and found on pages 51 and 52 of said session laws ;"

Also, Senate bill No. 2, entitled "An act to regulate the transportation of freight by railways; to prevent extortion and unjust discrimination, and to hereafter make the office of Railroad Commissioner appointive; to increase and define the powers of such office, and fix the compensation thereof; to provide a mode of adjusting differences between the railroads and shippers, and establish penalties for violations hereof, and repeal sections 831, 833, 834, 835, 839, 840, 842 and 844 of article 3, chapter 21, Revised Statutes of Missouri, and all other acts inconsistent with the provisions of this act ;"

Also, Senate bill No. 3, entitled "An act to regulate the transportation of freight by railroads, establish maximum rates, prevent extortion, unjust discrimination and pooling by railroads; to provide remedies and penalties for the violation of the provisions of this act; to provide for the enforcing of the same, and to repeal sections 833, 834 and 842 of Revised Statutes of 1879, and all acts and parts of acts inconsistent with the provisions of this act ;"

Also, Senate bill No. 4, entitled "An act to correct abuses and prevent unjust discrimination and extortion in the rates of freight tariffs on the different railroads in this State, and to establish reasonable maxi-

imum rates of charges for the transportation of freight on said railroads, and to provide penalties for the violation of this act, and to further define the duties of the Railroad Commissioners, and to repeal sections 820, 821, 822 and 825 of article 2 of chapter 21, and sections 831, 832, 833, 834, 835, 842 and 844 of article 3 of chapter 21 of the Revised Statutes of the State Missouri, and all such other acts or parts of acts as are in conflict or inconsistent with this act ; ”

Also, Senate bill No. 6, entitled “An act to prevent extortion and discrimination in railway charges in Missouri, and to fix maximum rates of charges for receiving, handling, transporting and delivering freight in this State, and to define more fully the duties of the Railroad Commissioners, and to repeal sections 820, 821 and 822 of article No. 2, and sections 831, 833, 834, 835, 838, 842, 844 and 847 of article No. 3, all of chapter No. 21 of the Revised Statutes of Missouri of A. D. 1879 ; ”

Also, Senate bill No. 7, entitled “An act to regulate and control the management of railways and railroad companies as public highways and common carriers ; to correct abuses and prevent unjust discrimination and extortion in the rates of freight tariffs on the different railroads in this State ; to prevent pooling ; to prescribe the duties and increase the powers of the Railroad Commissioners, and provide the manner of their selection, and to repeal all laws and parts of laws inconsistent with its provisions ; ”

Also, Senate bill No. 12, entitled “An act to amend sections 820 and 821, chapter 21 Revised Statutes of 1879, entitled ‘Railroad corporations,’ and to add section 847*a* to said chapter, legalizing pooling among parallel and competing lines, under certain conditions and limitations, and to add section 847*b* to said chapter 21, authorizing railroad corporations to make special rates under certain limitations and conditions, and to add to said chapter 21 section 847*c*, requiring railroad corporations to permit shippers to select the line or lines of railroad over which the consignor desires the property to be shipped, and to add section 847*d* to said chapter 21, requiring the Railroad Commissioners to investigate and make a finding of any and all complaints against any railroad company for violation of law, and forward such finding to the court having jurisdiction, which finding shall be *prima facie* evidence of such violation in all suits against the railroad corporation, and adding to chapter 21 section 847*e*, requiring Railroad Commissioners to inquire into and hear all complaints against railroad corporations for violations of law of the Revised Statutes, 1879, and of this act ; ”

Also, Senate bill No. 13, entitled “An act to prevent extortion and unjust discrimination by railroad corporations, to increase the powers

and duties of the Railroad Commissioners, and to repeal sections 820, 821, 822, article 2, chapter 21, and sections 833, 834, 835, 838, 839, 840, 842 and 844, article 3, chapter 21, Revised Statutes of Missouri; also, act of April 2, 1883, entitled 'An act to prevent the change of rates of freight without notice thereof by railroads in this State,' found on pages 51 and 52 of session acts of 1883," beg leave to report that they have carefully examined the same and recommend that the following substitute therefor do pass:

Substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, entitled "An act to correct abuses, prevent discriminations and extortions in the rates of freight tariffs on the different railroads in this State; to prevent pooling; to regulate the schedules of tariffs of such railroad companies; to establish reasonable maximum rates of charges for the transportation of freight on such railroads; to increase the powers and enlarge the duties of the Board of Railroad Commissioners; to provide penalties for the violation of the provisions of this act; to appropriate money, and to repeal acts and parts of acts inconsistent with this act, and to provide a seal for the Board of Railroad Commissioners."

The substitute was read first time, and 1,000 copies ordered printed for information.

Senator Ball presented a paper on railroad legislation, and 1,000 copies were ordered printed for the use of the Senate.

Joint and concurrent resolution fixing the time of final adjournment, was called up, and Senator Ryors offered the following amendment to the resolution, which was read:

Strike out the word "Friday," and insert "Monday;" strike out the words or figures "24," and insert the figures "27."

Senator Simrall moved to lay the amendment on the table. The motion prevailed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Hazell, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Saltonstall, Sears, Sebree, Simrall, Sparks of Cass, Taggart and Wood—19.

NOES—Senators Davisson, Gideon, Ketchum, McGinnis, Parcher, Proctor, Ryors, Seabourn, Sheldon, Smith and Webster—11.

ABSENT—Senators Hunter, Jacobs and Moran—3.

ABSENT WITH LEAVE—Senator Sparks of Johnson.

On motion of Senator Downing, the Senate adjourned until tomorrow morning at 9 o'clock.

TWENTY-EIGHTH DAY—FRIDAY, June 17, 1887.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator McGinnis presented the following motion, in writing, which was read :

I move that the journal be so corrected as to show the substitute reported by the Committee on Railroads and Internal Improvements.

The motion was adopted by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Moran, Parcher, Proctor, Ryors, Seabourn, Sears, Sheldon, Sparks of Cass, Taggart and Webster—25.

NOES—Senators Saltonstall and Sebree—2.

ABSENT—Senators Jacobs and Mansfield—2.

ABSENT WITH LEAVE—Senators Hunter, Simrall, Smith and Sparks of Johnson—4.

SICK—Senator Wood.

Senator Wood reported sick.

Senators Smith, Simrall and Hunter granted leave of absence until Monday.

Senator Ketchum moved that when the Senate adjourn it adjourn to meet at 3 o'clock on Monday. The motion was carried.

Senator Castleman offered the following motion in writing, which was read :

Moved that Senate bills Nos. 1, 2, 3, 4, 6, 7, 12, 13, be entered in full upon the record.

The motion was adopted by the following vote :

AYES—Senators Castleman, Claycomb, Downing, Hazell, Johnson of Montgomery, Kelly, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Sears, Sebree, Sheldon, Sparks of Cass and Taggart—17.

NOES—Senators Allen, Ball, Davisson, Gideon, Johnson of Madison, Kerwin, Parcher, Ryors, Saltonstall and Seabourn—10.

ABSENT—Senators Jacobs and Webster—2.

ABSENT WITH LEAVE—Senators Hunter, Simrall, Smith and Sparks of Johnson—4.

SICK—Senator Wood.

Senator Proctor submitted the following report from the Committee on Appropriations, which was read :

MR. PRESIDENT: Your Committee on Appropriations, to whom was referred House bill No. 38, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made," beg leave to report that they have carefully examined the same and recommend that it do pass.

Senator Castleman offered the following resolution, which was read and adopted :

Resolved, That in writing up the Senate Journal, the Secretary of the Senate shall have the control of all clerks now in the employment of the Senate, including the force of the Enrolling and Engrossing Committees, as well as of other committees.

Senator Castleman offered the following resolution, which was read :

Resolved, That the Secretary report to the Senate at the next session thereof, the clerks by name on the pay-roll of the Senate who are actually in attendance and on duty, and such as are not in attendance and on duty to-day.

Senator McGinnis offered the following amendment to the resolution :

Amend by adding "those who have not been here at all, if any?"

The amendment was accepted.

Senator Hazell moved to lay the resolution on the table. The motion was lost by the following vote :

AYES—Senators Hazell and Sebree—2.

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Sparks of Cass and Taggart—25.

ABSENT—Senators Jacobs and Webster—2.

ABSENT WITH LEAVE—Senators Hunter, Simrall, Smith and Sparks of Johnson—4.

SICK—Senator Wood.

Senator Sebree offered the following substitute for the resolution, which was read :

Resolved, That the Chair appoint a committee of three to investigate what clerks are now on duty, and if the services of the same, or any number of the same, can be dispensed with for the remainder of the extra session.

Senator Downing moved that the resolution and substitute be referred to the Committee on Accounts, which was lost by the following vote :

AYES—Senators Davisson, Downing, Gideon, Hazell, Johnson of Montgomery, Kerwin, Ketchum, Mansfield and Moran—9.

NOES—Senators Allen, Ball, Castleman, Claycomb, Johnson of Madison, Kelly, Mackey, Proctor, Saltonstall, Seabourn, Sears, Sheldon, Sparks of Cass and Taggart—14.

ABSENT—Senators Jacobs, McGinnis, Parcher, Ryors, Sebree and Webster—6.

ABSENT WITH LEAVE—Senators Hunter, Simrall, Smith, and Sparks of Johnson—4.

SICK—Senator Wood.

The question recurring on the substitute, it was not agreed to.

Senator Gideon offered the following substitute, which was not agreed to :

Resolved by the Senate, That the Committee on Accounts be instructed to ascertain the necessary clerical force that will be needed for the remainder of the session, and if any of said force can be dispensed with.

Division of the question being called for, the vote was taken on the amendment offered by Senator McGinnis.

The amendment was not agreed to.

The original resolution was adopted.

On motion of Senator Ketchum, the Senate adjourned.

TWENTY-NINTH DAY—MONDAY, June 20, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Friday read and approved.

Senator Johnson of Montgomery submitted the following reports from the Committee on Railroads and Internal Improvements, which were read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 15, entitled "An act to provide for the building of switches and spurs to railroads, and the maintenance and operation of same," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred Senate bill No. 14, entitled "An act to amend section 797, chapter 21, article 2 of the General Statutes of Missouri," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements to whom was referred House bill No. 11, entitled "An act requiring railroad companies to connect their lines with switches, and to furnish cars to shippers, and permitting shippers to furnish their own cars in certain cases, and prescribing penalties for the violation thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred House bill No. 20, entitled "An act to require railroad companies to furnish to shippers of live stock, grain or other articles, cars in good repair, and to authorize shippers in certain cases to repair cars and recover the cost of such repairs from said company," beg leave to report that they have carefully examined the same and recommend that it do not pass.

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred House bill No. 40, entitled "An act to prescribe the charges on sleeping or palace cars on railroads in this State," beg leave to report that they have carefully examined the same and recommend that it do pass.

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred substitute for House bill No. 6, entitled "An act to repeal section 832 of article 3 of chapter 21 of the Revised Statutes of Missouri of 1879, and to re-enact a new section on the same subject in lieu thereof, to be known as section 832, regulating passenger rates on railroads," beg leave to report that they have carefully examined the same and recommend that it do pass.

The Secretary submitted the following report, in obedience to resolution adopted on Friday last, which was read.

MR. PRESIDENT: In obedience to the command of the Senate instructing the Secretary to report the number of clerks on the pay-roll

and actually in attendance and on duty Friday, June 17, 1887, I have the honor to submit the following:

J. E. Reisse, W. C. Arline, Frank H. Farris, J. H. Murphy, D. J. Glavis, John F. Short, J. C. Hickcox and C. L. Berry are on the Secretary's staff.

J. H. Davidson, J. S. Preston and Brice Edwards are committee clerks.

A. F. Love is enrolling clerk.

The engrossing force consists of P. P. Ellis, A. C. Vandiver, R. E. Mayball and J. F. Ball.

Total number of clerks on the pay-roll is sixteen, eight of whom are on the Secretary's staff, three are committee clerks, one is enrolling clerk and four are engrossing clerks.

All of the foregoing named were in attendance and on duty Friday the 17th inst., except J. F. Ball, who was absent with leave.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 1, entitled "An act to amend an act entitled 'An act to amend section 790 of chapter 21, article 2 of the Revised Statutes of the State of Missouri, entitled 'Railroad companies,' approved March 26, 1881," and announced that unless objection be made, he would sign the same to the end that it become a law. The bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

The following communication was received from the House of Representatives, which was read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed substitute for Senate bill No. 10, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations.'"

House bill No. 38, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made," was taken up, and on motion of Senator McGinnis, the Senate resolved itself into Committee of the Whole for the consideration of the same.

Senator Wood in the chair.

Regular session resumed.

Senator Wood submitted the following report from the Committee of the Whole, which was read:

MR. PRESIDENT: Your Committee of the Whole, which has had under consideration House bill No. 38, recommend that the bill do pass.

Substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, entitled "An act to correct abuses, prevent discriminations and extortions in the rates of freight tariffs on the different railroads in this State; to prevent pooling; to regulate the schedules of tariffs of such railroad companies; to establish reasonable maximum rates of charges for the transportation of freight on such railroads; to increase the powers and enlarge the duties of the Board of Railroad Commissioners; to provide penalties for the violation of the provisions of this act; to appropriate money, and to repeal acts and parts of act inconsistent with this act, and to provide a seal for the Board of Railroad Commissioners," was read second time.

Senator Wood submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred substitute for Senate bill No. 10, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations,'" beg leave to report that they have carefully examined the same and find it truly enrolled.

On motion of Senator Sheldon, the Senate adjourned.

THIRTIETH DAY—TUESDAY, June 21, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Davisson introduced Senate bill No. 16, entitled "An act to prevent extortion and unjust discrimination by railroad corporations; to increase the powers of and the duties of the Railroad Commissioners, and to repeal sections 820, 821, 822, article 2, chapter 21, and sections 833, 834, 835, 838, 839, 840, 842 and 844, article 3, chapter 21, Revised Statutes of Missouri; also, act of April 2, 1883, enti-

tled 'An act to prevent the change of rates of freight without notice thereof by railroads in this State found on pages 51 and 52 of session acts of 1883,' which was read first time and seventy-five copies ordered printed.

Senate bill No. 14, entitled "An act to amend section 797, chapter 21, article 2 of the General Statutes of Missouri," was taken up and ordered engrossed and printed.

Also, Senate bill No. 15, entitled "An act to provide for the building of switches and spurs to railroads, and the maintenance and operation of same," was taken up and ordered engrossed and printed.

Substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, entitled "An act to correct abuses, prevent discriminations and extortions in the rates of freight tariffs on the different railroads in this State; to prevent pooling; to regulate the schedules of tariffs of such railroad companies; to establish reasonable maximum rates of charges for the transportation of freight on such railroads; to increase the powers and enlarge the duties of the Board of Railroad Commissioners; to provide penalties for the violation of the provisions of this act; to appropriate money, and to repeal acts and parts of acts inconsistent with this act, and to provide a seal for the Board of Railroad Commissioners," was taken up.

Senator Moran moved that the Senate resolve itself into Committee of the Whole for the consideration of substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13.

Pending the motion, the President announced that all other business would be suspended, and directed the Secretary to read at length substitute for Senate bill No. 10, entitled "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations.'" The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature to said bill. It was then taken to the House of Representatives, read at length and signed by the Speaker, and immediately presented to the Governor by the Secretary for his approval.

Senator Mackey moved that the Senate adjourn. The motion was carried by the following vote:

AYES—Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Sebree, Sparks of Cass, Sparks of Johnson and Wood—13.

NOES—Senators Ball, Davisson, Gideon, Hunter, Moran, Parcher, Ryors, Sears and Simrall—9.

ABSENT—Senators Allen, Downing, Kelly, Mansfield, Proctor. Saltonstall, Seabourn, Sheldon, Smith, Taggart and Webster—11.

ABSENT WITH LEAVE—Senator Jacobs.

THIRTY-FIRST DAY—WEDNESDAY, June 22, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senate bill No. 8, entitled "An act to appropriate money for the pay of the members of the extra session of the Thirty-fourth General Assembly and contingent expenses of the same," was taken up, and Senator Ketchum offered the following amendment:

Amend Senate bill No. 8 by striking out the following words in the 8th line of section one: "fifty thousand (\$50,000)," and insert in lieu thereof the following words and figures: "ten thousand (\$10,000);" and also by striking out the words and figures, "ten and \$10,000," in the 10th line of said section one, and insert in lieu thereof the words and figures "five and \$5,000."

The amendment was read first and second times and agreed to.

The bill, as amended, was ordered engrossed and printed.

Senate bill No. 16, entitled "An act to prevent extortion and unjust discrimination by railroad corporations; to increase the powers of and duties of the Railroad Commissioners, and to repeal sections 820, 821 and 822, article 2, chapter 21, and sections 833, 834, 835, 838, 839, 840, 842 and 844, article 3, chapter 21, Revised Statutes of Missouri; also, act of April 2, 1883, entitled 'An act to prevent the change of rates of freight without notice thereof by railroads in this State,' found on pages 51 and 52 of session acts of 1883," was read second time and referred to Committee on Railroads and Internal Improvements.

Senator Castleman offered the following joint and concurrent resolution, which was read and laid over one day:

WHEREAS, The Thirty-fifth General Assembly will be a revising session, when the Statutes must be revised, recodified and amended ; and,

WHEREAS, The limited terms of the General Assembly are too short to permit the work of revision of the laws to be done with that care, deliberation and thoroughness which are essential to wisdom, good government and systematic arrangement ; therefore, be it

Resolved by the Senate, the House of Representatives concurring therein, That the Governor be, and he is hereby respectfully requested to submit to this extra session of the Thirty-fourth General Assembly, by special message, authority to pass a law creating a commission to revise and codify the laws, and arrange the same, and to suggest to the Thirty-fifth General Assembly such amendments to the laws as should in the opinion of such commission be adopted, and to report the result of their work, with such suggestions to said Thirty-fifth General Assembly on the first day thereof, or to the Governor at an earlier date, to provide for the printing thereof, to provide salaries for such commission and clerks therefor, and to make an appropriation to pay the salaries and expenses thereof, and for said printing.

Substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, entitled "An act to correct abuses, prevent discriminations and extortions in the rates of freight tariffs on the different railroads in this State ; to prevent pooling ; to regulate the schedules of tariffs of such railroad companies ; to establish reasonable maximum rates of charges for the transportation of freight on such railroads ; to increase the powers and enlarge the duties of the Board of Railroad Commissioners ; to provide penalties for the violation of the provisions of this act ; to appropriate money, and to repeal acts and parts of acts inconsistent with this act, and to provide a seal for the Board of Railroad Commissioners," was taken up, and on motion of Senator Moran, the Senate resolved itself into Committee of the Whole for consideration of the substitute.

Senator Castleman in the chair.

The Committee of the Whole arose.

Senator Castleman submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole has had under consideration substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, beg leave to report progress and ask leave to sit again.

On motion of Senator Gideon, the Senate took a recess until two o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 15, entitled "An act to provide for the building of switches and spurs to railroads, and the maintenance and operation of same;"

Also, Senate bill No. 14, entitled "An act to amend section 797, chapter 21, article 2 of the Revised Statutes of Missouri," beg leave to report that they have compared the same, and find them to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator Johnson of Montgomery, the Senate resolved itself into Committee of the Whole for the consideration of substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13.

Senator Castleman in the chair.

The committee arose, and Senator Castleman submitted the following report from the Committee of the Whole, which was read:

MR. PRESIDENT: Your Committee of the Whole have had under consideration substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, desire to report progress and ask leave to sit again.

On motion of Senator Castleman, the Senate adjourned until tomorrow morning at 9 o'clock, by the following vote:

AYES—Senators Allen, Castleman, Davisson, Downing, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, McGinnis, Mackey, Moran, Saltonstall, Seabourn, Sebree, Sheldon, Smith, Sparks of Cass and Webster—19.

NOES—Senators Ball, Claycomb, Gideon, Hazell, Hunter, Ketchum, Mansfield, Parcher, Sears, Simrall, Sparks of Johnson, Taggart and Wood—13.

ABSENT—Senator Ryors.

SICK—Senator Proctor.

THIRTY-SECOND DAY—THURSDAY, June 23, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read:

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred Senate bill No. 8, entitled "An act to appropriate money to defray the necessary expenses of the extra session of the Thirty-fourth General Assembly," beg leave to report that they have compared the same and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

On motion of Senator Johnson of Montgomery, the Senate resolved itself into Committee of the Whole to consider substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13.

Senator Castleman in the chair.

The Committee of the Whole arose, and the regular session was resumed.

Senator Castleman submitted the following report from the Committee of the Whole, which was read:

MR. PRESIDENT: Your Committee of the Whole, who have had substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13 under consideration, report progress and ask leave to sit again.

On motion of Senator Ryors, the Senate took a recess till 2 o'clock.

AFTERNOON SESSION.

The President called the Senate to order.

On motion of Senator Sheldon, a call of the Senate was had with the following result:

PRESENT—Senators Allen, Castleman, Claycomb, Davisson, Downing, Gideon, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Parcher, Proctor, Ryors, Saltonstall, Seabourn, Sears, Sheldon, Simrall, Sparks of Cass, Sparks of Johnson, Taggart and Webster—27.

ABSENT—Senators Ball, Hazell, Jacobs, Kelly, Sebree, Smith and Wood—7.

House bill No. 38 was called up and on motion the further consideration was postponed till to-morrow.

On motion of Senator Johnson of Montgomery, the Senate resolved itself into Committee of the Whole for the further consideration of substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13.

Senator Castleman in the chair.

The regular session was resumed, and Senator Castleman submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole, having had under consideration substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, report progress and asked leave to sit again.

On motion of Senator Downing, the Senate adjourned till to-morrow morning, by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Sebree, Sheldon and Webster—22.

NOES—Senators Allen, Gideon, Hazell, Parcher, Seabourn, Sears, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—12.

THIRTY-THIRD DAY—FRIDAY, June 24, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senate bill No. 8, entitled "An act to appropriate money to defray the necessary expenses of the extra session of the Thirty-fourth General Assembly," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Ker-

win, Ketchum, McGinnis, Mackey, Saltonstall, Sebree, Sheldon, Taggart, Webster and Wood—20.

NOES—Senators Claycomb, Gideon, Moran, Proctor, Seaburn, Sears, Simrall, Smith and Sparks of Cass—9.

ABSENT—Senators Jacobs, Mansfield, Parcher, Ryors and Sparks of Johnson—5.

The title was read and agreed to.

Senator Ketchum moved to reconsider the vote by which the bill passed and to lay that motion on the table. The latter motion prevailed.

House bill No. 38 was laid over informally.

On motion of Senator Gideon, the Senate resolved itself into Committee of the Whole for the consideration of Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13.

Senator Castleman in the chair.

The regular session resumed, and Senator Castleman submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole, to whom was referred substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, beg leave to report that they have carefully considered the same and recommend that it do pass with the accompanying amendments :

Amend section 4 by striking out the words "road or roads," in the thirteenth line of the printed bill, and insert in lieu thereof the words "railroad or railroads.

Also, amend said section by inserting after the word "as" and before the word "common," in the twentieth line of printed bill, the letter "a."

The amendment was read first and second times and agreed to.

Amend section 7 by striking out the word "five," in the twelfth line of the printed bill, and insert in lieu thereof the word "six."

The amendment was read first and second times and agreed to.

Amend section six, printed bill, by striking out the letters "etc.," wherever they occur in the section, and insert the words "and everything of a like character" in lieu thereof.

The amendment was read first and second times and agreed to.

Amend section six, printed bill, by adding between the words "feet" and "in," in twenty-eighth line the following words : "or more."

The amendment was read first and second times and agreed to.

Amend section 6 by inserting "wood" after the word "clay," in line twenty-five.

The amendment was read first and second times and agreed to.

Amend section 7 by striking out the entire section and insert in lieu thereof the following :

Section 7. It shall be the duty of the Board of Railroad Commissioners of this State, within thirty days after this act shall take effect, to classify all the commodities not herein before classified to be transported over any railroad or part of a railroad operated in this State, and place such commodities in either of the five general classes, or in any one of the twelve special classes herein designated, as may to them appear just and proper, and property of like character, weight, bulk, or value shall, as near as may be, be assigned to the same class as indicated by the partial classification made in section six herein, and the said Board of Railroad Commissioners are hereby authorized and empowered to make such adjustment, regulation or change in the classification (except as to the articles specified in section six herein) as may from time to time after proper inquiry and investigation appear to them to be equitable and just.

The amendment was read first and second times and agreed to.

Amend section 12, as follows:

1. By adding between the words "direction" and "or," in the thirty-eighth line, the following: "Under substantially similar circumstances and conditions."

2. By adding between the words "direction," and "or," in the forty-second line, the following words: "Under substantially similar circumstances and conditions."

3. By adding between the words "direction" and "all," in the forty-seventh line, the following words: "Under substantially similar circumstances and conditions."

The amendment was read first and second times and agreed to.

Amend section 12 of printed substitute by inserting between the words "rates" and "for," in line seventy-one of said section, the following: "for the use of or in the name of said transportation company."

The amendment was read first and second times and agreed to by the following vote:

AYES—Senators Allen, Davisson, Downing, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Proctor, Ryors, Sebree, Sheldon, Smith, Webster and Wood—17.

NOES—Senators Ball, Castleman, Claycomb, Gideon, Hazell, Hunter, Jacobs, Johnson of Montgomery, Mackey, Saltonstall, Seabourn, Sears, Simrall, Sparks of Cass and Taggart—15.

ABSENT—Senators Parcher and Sparks of Johnson—2.

Amend section 12 by inserting after the word "railroad," in line nineteen, the words: "Under substantially similar circumstances and conditions."

The amendment was read first and second times and agreed to.

Amend by striking out "certificate" and insert "order," in line twenty-five, section 14, in lieu thereof.

The amendment was read first and second times and agreed to.

Amend section 16 by striking out the words "expressed or implied," in line three thereof.

The amendment was read first and second times and agreed to.

Amend section 21 by striking out the word "section," in the ninth line, and insert in lieu thereof the word "act."

The amendment was read first and second times and agreed to.

Amend section 22 by striking out the words "so summoned," wherever they occur in the section.

The amendment was read first and second times and agreed to.

Amend section 24 by striking out the word "ten," in line one, and inserting "twenty."

The amendment was read first and second times and agreed to.

Amend section 25, printed bill, by striking out all between the word "thereby," in line four, and the first word, "to," in line ten, and insert the following in lieu thereof: "Said complaint shall specifically set forth the kind and quantity of freight shipped by complainant, with the alleged unreasonable charge or charges complained of; and said Railroad Commissioners shall proceed at once to investigate and consider the same, and if there shall appear."

The amendment was read first and second times and agreed to.

Amend section 26 by striking out of line two the word "five," and insert the word "ten."

The amendment was read first and second times and agreed to.

Amend section 31 by striking out "where sued for," in line 2, and insert "where the violation originated."

The amendment was read first and second times and agreed to.

Amend section 31, printed bill, by striking out all after the word "occur," in the fifth line, to the word "it," in the seventh line.

The amendment was not agreed to.

Amend section 33 by adding to the end of said section, "with the reason therefor."

The amendment was read first and second times and agreed to.

Amend by striking out all of section 34.

Also amend by striking out "thirty-five," in first line, between the words "section" and "all," and insert in lieu thereof the word "thirty-four."

The amendment was read first and second times and agreed to.

Senator McGinnis offered an amendment fixing a schedule of rates for merchandise, which was read first and second times and agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Saltonstall, Seabourn, Sebree, Simrall, Smith, Taggart, Webster and Wood—25.

NOES—Senators Hazell, Sears and Sparks of Cass—3.

ABSENT—Senators Jacobs, Johnson of Madison, Parcher, Ryors, Sheldon and Sparks of Johnson—6.

Senator Moran offered the following amendment, which was read :

Amend printed bill by striking out all between the word "railroad," in the thirty-third and thirty-fourth lines, and the word "all," in the forty-seventh line of section 12 of printed bill.

The amendment was not agreed to by the following vote :

AYES—Senators Allen, Ball, Davisson, Downing, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Proctor and Webster—13.

NOES—Senators Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Ryors, Saltonstall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks of Cass, Taggart and Wood—17.

ABSENT—Senators Gideon, Parcher, Sheldon Sparks of Johnson—4.

Senator Jacobs offered the following amendment, which was read :

Amend section 8 by inserting between the words "destination" and "provided," in the twenty-second line of said section, the following: "*Provided*, that railroad companies which are now constructing, or which may hereafter construct, new railroads within this State, shall, for the period of two (2) years from the time said new railroad commences to receive freight for transportation, be permitted to charge for the transportation of freight on said new railroad, an excess of not to exceed fifteen (15) per cent. above the schedule of maximum rates provided for in this act for the group of railroads to which said new railroad may properly belong."

The amendment was read first and second times and agreed to by the following vote :

AYES—Senators Allen, Ball, Davisson, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Ryors, Seabourn, Simrall, Smith and Webster—16.

NOES—Senators Castleman, Claycomb, Downing, Hazell, Johnson of Montgomery, Mackey, Moran, Proctor, Sears, Sebree, Sparks of Cass, Taggart and Wood—13.

ABSENT—Senators Gideon, Parcher, Saltonstall, Sheldon and Sparks of Johnson—5.

Senator McGinnis offered the following amendment, which was read :

Amend by striking out sections 25, 26 and 27.

The amendment was not agreed to by the following vote :

AYES—Senators Davisson, Kelly, Kerwin, McGinnis and Ryors—5.

NOES—Senators Allen, Ball, Castleman, Claycomb, Downing, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Ketchum, Mackey, Mansfield, Moran, Proctor, Seabourn, Sears, Sebree, Simrall, Smith, Sparks of Cass, Taggart and Wood—23.

ABSENT—Senators Gideon, Parcher, Saltonstall, Sheldon, Sparks of Johnson and Webster—6.

Senator Hunter offered the following amendment, which was read first and second times and agreed to :

Amend section 6 of printed bill by striking out the word “melons,” in the 17th line of said section, and by adding the words “and melons in car loads,” between the words “loads,” and “class,” in the 18th line of said section.

Senator Hunter offered the following amendment, which was not agreed to :

Amend the amendment adopted to section 9 by adding 25 per cent. to the schedule of maximum rates applicable to railroads in group C, and only seventy-five miles in length.

Senator Claycomb offered the following amendment, which was read first and second times and agreed to :

Amend section 21 by striking out the words “Of such thereof,” in the 18th line of printed bill.

Senator Moran offered the following amendment, which was not agreed to :

Amend section 23 by substituting the following : Section 23. That if in any case in which an investigation shall be made by said commissioners, it shall be made to appear to their satisfaction, either by the testimony of witnesses or other evidence, that anything has been done or omitted to be done in violation to the provisions of this act, or if any law cognizable by said commissioners, by any railroad company or corporation, or that any injury or damage has been sustained by the party or parties complaining, or by other parties aggrieved in consequence of any such violation, it shall be the duty of the commissioners to forthwith cause a copy of its report in respect thereto to be delivered to such railroad company or corporation, together with a notice to cease and desist from such violation, or to make reparation for the injury so found to have been done, or both, within a reasonable time, to be specified by the commissioners ; and if within the time specified it shall be made to appear to the commissioners that such company or corporation has ceased from such violations of law, and has made reparation for the injury found to have been done, in compliance with

the report and notice of the commissioners, or to the satisfaction of the party complaining, a statement to that effect shall be entered of record by the commissioners, and the said company or corporation shall thereupon be relieved from the further liability or penalty for such particular violation of law.

The commissioners may conduct their proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice, and a majority of the commissioners shall constitute a quorum for the transaction of business. The commissioners may from time to time make or amend such general rules or orders as may be requisite for the order and regulation of proceedings before them, including forms of notices and service thereof, which shall conform, as nearly as may be, to the rules of civil procedure in this State.

Whenever any railroad company or corporation, as defined in and subject to the provisions of this act, shall violate, refuse or neglect to obey any lawful order of the Railroad Commissioners, it shall be the duty of the commissioners, and lawful for any person or company interested in such order or requirement, to prosecute a civil action against such offending railroad company. Such suits may be instituted in the circuit court of the county in which the violation or disobedience of the order or requirement happened, or in the circuit court of any county into or through which the road of the offending company or corporation extends; such suits shall have precedence over other civil business, and if upon trial of the same it shall be found that a lawful order or requirement of the commissioners has been violated or disobeyed, the court shall enter judgment in accordance with the report and recommendations of the commissioners. For the purpose of this act the circuit courts of this State shall be deemed to be always in session, according to the discretion of the respective judges thereof.

Senator Moran offered the following amendment, which was not agreed to:

Strike out all of section 9 of printed bill, and the schedule of maximum rates thereto attached.

Senator Hunter offered the following amendment, which was not agreed to:

Amend the amendment adopted to section 9 by adding twenty per cent. to the schedule of maximum rates applicable to railroads in group C on roads not over 65 miles in length, on 2d, 3d, 4th and 5th class freight.

Senator Parcher moved to reconsider the vote by which the amendment incorporating into the bill the language "under like circumstances and conditions," was adopted. The motion was not agreed to by the following vote:

AYES—Senators Castleman, Hazell, Hunter, Johnson of Madison, Parcher, Seabourn, Sears, Sheldon and Simrall—9.

NOES—Senators Allen, Ball, Claycomb, Davisson, Downing, Jacobs, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Moran, Proctor, Ryors, Sebree, Smith, Sparks of Cass, Taggart and Wood—19.

ABSENT—Senators Gideon, Ketchum, McGinnis, Saltonstall, Sparks of Johnson and Webster—6.

The substitute, as amended, was adopted.

The substitute, as amended, was ordered engrossed and printed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Moran, Parcher, Proctor, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Taggart and Wood—27.

NOES—Senators Davisson and Ryors—2.

ABSENT—Senators Ketchum, McGinnis, Saltonstall, Sparks of Johnson and Webster—5. .

On motion of Senator Simrall, 1,000 copies of the substitute were ordered printed.

Senator Davisson offered the following protest, which was ordered spread upon the record:

MR. PRESIDENT: I respectfully ask that my protest against the ruling of the Chair on my motion offering an amendment to the substitute be placed on the record.

Senator Proctor moved that when the Senate adjourn it adjourn until Monday at 2 o'clock. The motion was lost.

Senator Wood moved that when the Senate adjourn it be until to-morrow at 2 o'clock. The motion was lost.

On motion of Senator Castleman, the Senate adjourned until to-morrow morning at 9 o'clock.

THIRTY-FOURTH DAY—SATURDAY, June 25, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Senator Sheldon offered the following resolution, which was read :

Resolved, by the Senate, the House of Representatives concurring herein, That the extra session of the Thirty-fourth General Assembly of Missouri adjourn sine die at 12 o'clock M. on Saturday, July 2, 1887.

On motion of Senator Mansfield, the further consideration was postponed until next Wednesday at 10 o'clock, by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Mackey, Mansfield, Moran, Proctor, Sebree, Simrall, Smith, Sparks of Cass, Sparks of Johnson and Taggart—20.

NOES—Senators Gideon, Parcher, Ryors, Seabourn, Sears and Sheldon—6.

ABSENT—Senators Davisson, Kelly, Kerwin, McGinnis, Saltonstall, Webster and Wood—7.

ABSENT WITH LEAVE—Senator Ketchum.

Senator Allen was granted leave of absence until next Wednesday.

Senator Ryors moved that when the Senate adjourn it adjourn until Monday next at 3 o'clock. The motion was agreed to.

Senator Ball submitted the following report from the Committee on Engrossed Bills, which was read.

MR. PRESIDENT: Your Committee on Engrossed Bills, to whom was referred substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, entitled "An act to correct abuses, prevent discriminations and extortions in the rates of freight tariffs on the different railroads in this State; to prevent pooling; to regulate the schedules of tariffs of such railroad companies; to establish reasonable maximum rates of charges for the transportation of freight on such railroads; to increase the powers and enlarge the duties of the Board of Railroad Commissioners; to provide penalties for the violation of the provisions of this act; to appropriate money, and to repeal acts and parts of acts inconsistent with this act, and to provide a seal for the Board of Railroad Commissioners," beg leave to report that they have compared the same, and find it to be truly engrossed, and that the printed copies thereof furnished to the Senators are correct.

Senate bill No. 14, entitled "An act to amend section 797, chapter 21, article 2 of the Revised Statutes of Missouri," was read third time and passed by the following vote :

AYES — Senators Ball, Claycomb, Gideon, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Mansfield, Salton-

stall, Seabourn, Sears, Sebree, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—19.

NOES—Senators Allen, Castleman, Downing, Jacobs, Kelly, Moran, Parcher, Ryors and Sheldon—9.

ABSENT—Senators Davisson, Kerwin, McGinnis, Proctor and Webster—5.

ABSENT WITH LEAVE—Senator Ketchum.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Johnson of Montgomery moved that the rules be suspended, and that substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13 be read a third time and put upon its passage. The motion was agreed to by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—29.

NO—Senator Ryors

ABSENT—Senators Kerwin, Ketchum and Webster—3.

ABSENT WITH LEAVE—Senator McGinnis.

House bill No. 38, entitled "An act to appropriate money for the deficiencies in the appropriations for the years 1885 and 1886, and to appropriate money for the payment of certain demands against the State for the payment of which no appropriation has hitherto been made," was taken up on a motion that it be read third time and put upon its passage.

Senator Johnson of Montgomery moved the previous question, which was not carried by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Downing, Hazell, Hunter, Johnson of Montgomery, Kelly, Mackey, Mansfield, Saltonstall, Sears, Sebree, Sheldon, Simrall, Sparks of Cass, Sparks of Johnson, Taggart and Wood—19.

NOES—Senators Allen, Davisson, Gideon, Jacobs, Johnson of Madison, Moran, Parcher, Proctor, Ryors, Seabourn and Smith—11.

ABSENT—Senators Kerwin, McGinnis and Webster—3

ABSENT WITH LEAVE—Senators Ketchum.

Senator Simrall moved to reconsider to vote by which the bill was ordered read a third time. The motion was agreed to by the following vote:

AYES—Senators Allen, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sebree, Sheldon, Simrall and Smith—18.

NOES—Senators Ball, Castleman, Claycomb, Johnson of Montgomery, Kelly, Mackey, Saltonstall, Sears, Sparks of Cass, Sparks of Johnson, Taggart and Wood—12.

ABSENT—Senators Kerwin, McGinnis and Webster—3.

ABSENT WITH LEAVE—Senator Ketchum.

Senator Gideon offered the following amendment:

Amend printed bill by striking out all of section six (6).

The amendment was not agreed to by the following vote:

AYES—Senators Gideon, Jacobs, Johnson of Madison, Parcher, Ryors, Seabourn, Sebree, Sheldon and Smith—9.

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Hazell, Hunter, Johnson of Montgomery, Kelly, Mackey, Mansfield, Moran, Proctor, Saltonstall, Sears, Simrall, Sparks of Cass, Sparks of Johnson, Taggart and Wood—21.

ABSENT—Senators Kerwin, McGinnis and Webster—3.

ABSENT WITH LEAVE—Senator Ketchum.

Senator Ryors offered the following amendment:

Amend bill by striking out all of clause 8 of section one.

The amendment was not agreed to by the following vote:

AYES—Senators Claycomb, Davisson, Gideon, Jacobs, Johnson of Madison, Kelly, Mackey, Parcher, Ryors, Seabourn, Sebree and Sheldon—12.

NOES—Senators Allen, Ball, Castleman, Downing, Hazell, Hunter, Johnson of Montgomery, Mansfield, Moran, Proctor, Saltonstall, Sears, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—18.

ABSENT—Senators Kerwin, McGinnis and Webster—3.

ABSENT WITH LEAVE—Senators Ketchum.

Senator Ryors offered the following amendment:

Amend bill by striking out all of clause 8a of section one.

The amendment was not agreed to.

Senator Ryors offered the following amendment, which was not agreed to:

Amend bill by striking out all of section two.

Senator Sebree offered the following amendment:

Amend House bill by striking out all of section 8 of said bill.

The amendment was not agreed to by the following vote:

AYES—Senators Claycomb, Gideon, Jacobs, Johnson of Madison, Parcher, Ryors, Seabourn, Sebree, Sheldon and Sparks of Cass—10.

NOES—Senators Allen, Ball, Castleman, Davisson, Downing, Hazell, Hunter, Johnson of Montgomery, Kelly, Mackey, Mansfield, Moran, Proctor, Saltonstall, Sears, Simrall, Sparks of Johnson, Taggart and Wood—19.

ABSENT—Senators Kerwin, McGinnis, Smith and Webster—4.

ABSENT WITH LEAVE—Senators Ketchum.

House bill No. 38, as amended, was then read third time and passed by the following vote:

AYES — Senators Allen, Ball, Castleman, Davisson, Downing, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Mackey, Mansfield, Moran, Proctor, Saltonstall, Sears, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—22.

NOES—Senators Claycomb, Gideon, Jacobs, Parcher, Ryors, Seabourn, Sebree and Sheldon—8.

ABSENT—Senators Kerwin, McGinnis and Webster—3.

ABSENT WITH LEAVE—Senator Ketchum.

The title was read and agreed to.

Senator Bail moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

House bill No. 11, entitled "An act requiring railroad companies to connect their lines with switches, and to furnish cars to shippers, and permitting shippers to furnish their own cars in certain cases, and prescribing penalties for the violation thereof," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Mackey, Mansfield, Moran, Parcher, Proctor, Seabourn, Sears, Simrall, Smith, Sparks of Cass, Sparks of Johnson and Wood—25.

NOES—Senators Ryors, Saltonstall, Sebree, Sheldon and Taggart—5.

ABSENT—Senators Kerwin, McGinnis and Webster—3.

ABSENT WITH LEAVE—Senator Ketchum.

The title was read and agreed to.

Senator Sparks of Johnson moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, entitled "An act to correct abuses, prevent discrimination and extortion in the rates of freight tariffs on the different railroads in this State; to prevent pooling; to regulate the schedules of tariffs of such railroad companies; to establish reasonable maximum rates of charges for the

transportation of freight on such railroads; to increase the powers and enlarge the duties of the Board of Railroad Commissioners; to provide penalties for the violation of the provisions of this act; to appropriate money, and to repeal acts and parts of acts inconsistent with this act, and to provide a seal for the Board of Railroad Commissioners," was taken up for third reading.

Senator Allen moved the previous question, which was not agreed to by the following vote:

AYES—Senators Allen, Claycomb, Hunter, Johnson of Montgomery, Mackey, Saltonstall, Sears, Sebree, Simrall, Sparks of Cass, Sparks of Johnson, Taggart and Wood—13.

NOES—Senators Ball, Castleman, Davisson, Downing, Gideon, Hazell, Jacobs, Johnson of Madison, Kelly, Mansfield, Moran, Parcher, Proctor, Ryors, Seabourn, Sheldon and Smith—17.

ABSENT—Senators Kerwin, McGinnis and Webster—3.

ABSENT WITH LEAVE—Senator Ketchum.

Senator Johnson of Montgomery moved the previous question. The motion prevailed.

The question recurring on the passage of the bill, it was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Mackey, Mansfield, Moran, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—27.

NOES—Senators Davisson and Ryors—2.

ABSENT—Senators Kelly, Kerwin, McGinnis and Webster—4

ABSENT WITH LEAVE—Senator Ketchum.

Senator Claycomb offered the following amendment to the title, which was agreed to:

Amend the title by inserting in the first line, between the words "prevent" and "discriminations," the word "unjust," and also by striking out of said title the following words: "And to provide a seal for the Board of Railroad Commissioners."

The title, as amended, was read and agreed to.

Senator Sparks of Cass moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

On motion of Senator Ryors, the Senate adjourned until 3 o'clock Monday next.

THIRTY-FIFTH DAY—MONDAY, June 27, 1887.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Senate bill No. 15, entitled "An act to provide for the building of switches and spurs to railroads, and the maintenance and operation of same," was indefinitely postponed.

Substitute for House bill No. 6, entitled "An act to repeal section 832 of article 3 of chapter 21 of the Revised Statutes of Missouri of 1879, and to re-enact a new section on the same subject in lieu thereof, to be known as section 832, regulating passenger rates on railroads," was called up and further consideration postponed until next Wednesday by the following vote, the president voting in the affirmative :

AYES—Senators Ball, Castleman, Claycomb, Hazell, Johnson of Montgomery, Ketchum, Saltonstall, Sears, Sebree, Sparks of Johnson and Taggart—11.

NOES—Senators Davisson, Downing, Gideon, Johnson of Madison, Kerwin, McGinnis, Parcher, Ryors, Seabourn, Sheldon and Smith—11.

ABSENT WITH LEAVE—Senators Allen, Hunter, Jacobs, Kelly, Mansfield, Moran, Proctor, Simrall, Sparks of Cass, Webster and Wood—11.

SICK—Senator Mackey.

Senator Mackey reported sick.

Senator Hunter granted leave of absence until to-morrow.

Senator Sparks of Cass granted leave of absence until to-morrow.

Senators Simrall, Mansfield and Wood granted leave of absence until Wednesday next.

The following House bills were indefinitely postponed :

House bill No. 20, entitled "An act to prescribe the charges on sleeping or palace cars on railroads in this State ;"

Also, House bill No. 40, entitled "An act to require railroad companies to furnish to shippers of live stock, grain or other articles, cars in good repair, and to authorize shippers in certain cases to repair cars and recover the cost of such repairs from said company."

On motion of Senator Castleman, the Senate adjourned until to-morrow morning at 9 o'clock, by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Saltonstall, Sears, Sebree, Sparks of Johnson and Taggart—13.

NOES—Senators Davisson, Downing, Gideon, Ketchum, Moran, Parcher, Ryors, Seabourn, Sheldon and Smith—10.

ABSENT WITH LEAVE—Senators Allen, Hunter, Jacobs, Kelly, Mackey, Mansfield, Proctor, Simrall, Sparks of Cass, Webster and Wood—11.

THIRTY-SIXTH DAY—TUESDAY, June 28, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Senator Ball, the Senate took a recess until 3 o'clock. P. M.

AFTERNOON SESSION.

The President called the Senate to order.

The following communications were received from the House of Representatives, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up and passed Senate bill No. 8, entitled "An act to appropriate money to defray the necessary expenses of the extra session of the Thirty-fourth General Assembly," with an amendment perfecting the emergency clause, which was adopted:

House amendment to Senate bill No. 8: Amend Senate bill No. 8, by striking out all of section 2, and inserting in lieu thereof the following words, to wit: "The money heretofore appropriated to pay the members, officers, employes and contingent expenses of the extra session of the Thirty-fourth General Assembly having been exhausted,

an emergency has arisen within the meaning of the Constitution ; therefore this act shall take effect and be in force from and after its passage.

Mr. PRESIDENT : I am instructed by the House to inform the Senate that there has been introduced into and passed the House, House bill No. 67, entitled "An act to repeal section 828 of article 2 of the Revised Statutes of Missouri of 1879, entitled 'Private corporations,' and to enact a new section in lieu thereof."

In which the concurrence of the Senate is respectfully requested.

The President announced that all other business would be suspended and directed the Secretary to read at length House bill No. 38, entitled "An act to repeal section 828, article 2 of the Revised Statutes of Missouri of 1879, entitled 'Private corporations,' and to enact a new section in lieu thereof," and announced that unless objection be made he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

House bill No. 67, entitled "An act to repeal section 828 of article 2 of the Revised Statutes of Missouri of 1879, entitled 'Private corporations,' and to enact a new section in lieu thereof," was read first time.

On motion of Senator Sparks of Johnson, the Senate took a recess till 5 o'clock.

The President called the Senate to order.

Senator McGinnis granted leave of absence until Thursday.

On motion of Senator Downing, the Senate adjourned.

THIRTY-SEVENTH DAY—WEDNESDAY, June 29, 1887.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Joint and concurrent resolution fixing the time of final adjournment at 12 M., Saturday, July 2, was called up and laid over informally.

House bill No. 67, entitled "An act to repeal section 828 of article 2 of the Revised Statutes of Missouri of 1879, entitled 'Private corporations,'" and to enact a new section in lieu thereof, was read second time and referred to Committee on Railroads and Internal Improvements.

Substitute for House bill No. 6, entitled "An act to repeal section 832 of article 3 of chapter 21 of the Revised Statutes of Missouri of 1879, and to re-enact a new section on the same subject in lieu thereof, to be known as section 832, regulating passenger rates on railroads," was taken up.

Senator Johnson of Montgomery moved that the bill be made a special order for 10 o'clock to morrow. The motion was not agreed to.

Senator Downing moved that the bill be made a special order for the first Monday in August. The motion was not agreed to by the following vote:

AYES—Senators Downing, Gideon, Kerwin, Ketchum, Ryors, Sheldon, Smith and Webster—8.

NOES—Senators Ball, Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sparks of Johnson and Taggart—14.

ABSENT—Senator Davisson.

ABSENT WITH LEAVE—Senators Allen, Hunter, Jacobs, Kelly, McGinnis, Mansfield, Moran, Simrall, Sparks of Cass and Wood—11.

SICK—Senator Mackey.

Senator Johnson of Montgomery moved that the consideration of the bill be postponed until Friday next at 9 o'clock, at which time it be a special order. The motion was not agreed to by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Saltonstall, Sears, Sebree, Sparks of Johnson and Taggart—11.

NOES—Senators Davisson, Downing, Gideon, Kerwin, Ketchum, Parcher, Proctor, Ryors, Seabourn, Sheldon, Smith and Webster—12.

ABSENT WITH LEAVE—Senators Allen, Hunter, Jacobs, Kelly, McGinnis, Mansfield, Moran, Simrall, Sparks of Cass and Wood—10.

SICK—Senator Mackey.

Senator Downing moved that the bill be made a special order for to-day at 10 o'clock. The motion was agreed to by the following vote:

AYES—Senators Davisson, Downing, Gideon, Kerwin, Ketchum, Parcher, Proctor, Ryors, Seabourn, Sebree, Sheldon and Smith—12.

NOES—Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Saltonstall, Sears, Sparks of Johnson, Taggart and Webster—11.

ABSENT—Senator Ball.

ABSENT WITH LEAVE—Senators Allen, Hunter, Jacobs, Kelly, McGinnis, Mansfield, Moran, Simrall and Wood—9.

SICK—Senators Mackey and Sparks of Cass—2.

The following communication was received from the House of Representatives, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed the House substitute for House bill No. 5, entitled "An act to regulate railroad corporations."

In which the concurrence of the Senate is respectfully requested.

The following House amendment to Senate bill No. 8 was taken up :

Amend Senate bill No. 8 by striking out all of section 2 and inserting in lieu thereof the following words, to wit: "The money heretofore appropriated to pay the members, officers, employes and contingent expenses of the extra session of the Thirty-fourth General Assembly having been exhausted, an emergency has arisen within the meaning of the Constitution ; therefore, this act shall take effect and be in force from and after its passage."

The amendment was read and adopted by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Johnson of Madison, Johnson of Montgomery, Kerwin, Ketchum, Parcher, Proctor, Ryors Saltonstall, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks of Johnson, Taggart, and Webster—23.

ABSENT WITH LEAVE—Senators Allen, Hunter, Jacobs, Kelly, McGinnis, Mansfield, Moran, Simrall, Sparks of Cass and Wood—10.

SICK—Senator Mackey.

Substitute for House bill No. 5, entitled "An act to regulate railroad corporations," was read first time.

On motion of Senator Ball, the Senate adjourned until 9 o'clock to morrow morning, by the following vote. The President voting in the affirmative :

AYES—Senators Ball, Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Saltonstall, Sears, Sebree, Sparks of Johnson and Taggart—11.

NOES—Senators Davisson, Downing, Gideon, Kerwin, Ketchum, Proctor, Ryors, Seabourn, Sheldon, Smith and Webster—11.

ABSENT—Senator Parcher.

ABSENT WITH LEAVE—Senators Allen, Hunter, Jacobs, Kelly, McGinnis, Mansfield, Moran, Simrall, Sparks of Cass and Wood—10.

SICK—Senator Mackey.

THIRTY-EIGHTH DAY—THURSDAY, June 30, 1887.

MORNING SESSION.

Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Substitute for House bill No. 5, entitled "An act to regulate railroad corporations," was read second time, and on motion of Senator Downing, was referred to the Committee of the Whole, by the following vote:

AYES—Senators Ball, Davisson, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sheldon, Smith and Webster—15.

NOES—Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Seabee, Sparks of Cass, Sparks of Johnson, Taggart and Wood—14.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

The following communications were received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed by the House, joint and concurrent resolution No. 4, as follows:

That the extra session of the Thirty-fourth General Assembly shall adjourn *sine die* Saturday, July 2, 1887, at 12 o'clock M.

MR. PRESIDENT: I am instructed by the House to inform the Senate that the House has taken up, amended and passed substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, entitled "An act to correct abuses, prevent discriminations and extortions in the rates of freight tariffs on the different railroads in this State; to prevent pooling; to regulate the schedules of tariffs of such railroad companies; to establish reasonable maximum rates of charges for the transportation of freight on such railroads; to increase the powers and enlarge the duties of the Board of Railroad Commissioners; to provide penalties for the violation of the provisions of this act; to appropriate money, and to repeal acts and parts of acts inconsistent with this act, and to provide a seal for the Board of Railroad Commissioners."

Senator Seabourn reported sick.

Senator Wood submitted the following report from the Committee on Enrolled Bills, which was read:

MR. PRESIDENT: Your Committee on Enrolled Bills, to whom was referred Senate bill No. 8, entitled "An act to appropriate money to defray the necessary expenses of the extra session of the Thirty-fourth General Assembly," beg leave to report that they have carefully examined the same, and find it truly enrolled.

The President announced that all other business would be suspended and directed the Secretary to read at length Senate bill No. 8, entitled "An act to appropriate money to defray the necessary expenses of the extra session of the Thirty-fourth General Assembly," and announced that unless objection he made, he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto. The bill was then taken to the House of Representatives, read at length and signed by the Speaker and immediately presented to the Governor by the Secretary for his approval.

House joint and concurrent resolution fixing the time of final adjournment at 12 M. Saturday, July 2, was taken up.

Senator Wood moved that the further consideration of the resolution be laid over until Friday, July 1st, at 10 o'clock. The motion was agreed to by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Mansfield, Saltonstall, Sears, Seabee, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—17.

NOES—Senators Davisson, Downing, Gideon, Kelly, Kerwin Ketchum, McGinnis, Parcher, Proctor, Sheldon and Webster—11.

ABSENT—Senator Ryors.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

The President announced that all other business would be suspended, and directed the Secretary to read at length House bill No. 11, entitled "An act requiring railroad companies to connect their line with switches, and to furnish cars to shippers, and permitting shippers to furnish their own cars in certain cases, and prescribing penalties for the violation thereof," and that unless objection be made he would sign he same to the end that it become a law. The bill was read at length by the Secretary, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

The following House amendments to substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, were taken up:

Amendment No. 1. Amend section five by striking out the word "six," where it occurs in lines 2 and 5 of printed bill, and insert in lieu thereof the word "five."

The amendment was not agreed to by the following vote:

AYES—Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sparks of Cass, Sparks of Johnson, Taggart and Wood—13.

NOES—Senators Ball, Davisson, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sebree, Sheldon, Smith and Webster—16.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 2. Amend section 6 by striking out the figures "24,000," in line 29, and inserting the figures "20,000."

The amendment was not agreed to by the following vote:

AYES—Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Mansfield, Saltonstall, Sears, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood—14.

NOES—Senators Ball, Davisson, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Parcher, Proctor, Ryors, Sheldon, Smith and Webster—15.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Senator Ball moved to reconsider the vote by which amendment No. 2 failed to be concurred in.

The motion was agreed to by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Mansfield, Saltonstall, Sears, Sebree, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—17.

NOES—Senators Davisson, Downing, Gideon, Kelly, Kerwin, Ketchum, McGinnis, Parcher, Proctor, Ryors, Sheldon and Webster—12.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

The question recurring on the amendment, it was not concurred in by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Mansfield, Saltonstall, Sears, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood—16.

NOES—Senators Davisson, Downing, Gideon, Kelly, Kerwin, Ketchum, McGinnis, Parcher, Proctor, Ryors, Sheldon, Smith and Webster—13

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran, Seabourn and Simrall—5.

Amendment No. 3. Amend section 8 by striking out all preceding the word "than," in line 9, and inserting in lieu thereof the following:

"Section 8. No railroad company shall, for receiving, handling, delivering and transporting any freight, charge, collect, demand or receive a greater rate."

The amendment was not concurred in by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Mansfield, Parcher, Saltonstall, Sears, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood—17.

NOES—Senators Davisson, Downing, Gideon, Kelly, Kerwin, Ketchum, McGinnis, Proctor, Ryors, Sheldon, Smith and Webster—12.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 4. Amend schedule of maximum rates by striking out the figures "24,000" and insert in lieu thereof the figures "20,000."

The amendment was not concurred in by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Hazell, Johnson of

Madison, Johnson of Montgomery, Mackey, Saltonstall, Sears, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood—14.

NOES—Senators Davisson, Downing, Gideon, Kelly, Ketchum, McGinnis, Mansfield, Parcher, Proctor, Ryors, Sheldon, Smith and Webster—13.

ABSENT—Senators Hunter and Kerwin—2.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 5. Amend substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13 as follows: Strike out the words "for the use of or in the name of said transportation company," in lines 75 and 76 of section 42.

Senator Castleman offered the following amendment to amendment No. 5, which was read:

Amend amendment No. 5 by striking out the word "or," in third line of printed amendment, and insert in lieu thereof the word "and."

The amendment was laid over informally.

Amendment No. 8. Amend section 19 by striking out the word "operated," in the first line, and inserting in lieu thereof the words "operating a railroad."

The amendment was read first and second times and agreed to by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, McGinnis, Mackey, Parcher, Saltonstall, Sears, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—18.

NOES—Senators Davisson, Downing, Gideon, Kelly, Mansfield, Proctor, Ryors, Sebree, Sheldon and Webster—10.

ABSENT—Senator Ketchum.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 9. Amend section 19 by inserting between the words "kept" and "in," in the thirteenth line, the word "posted."

The amendment was read first and second times and agreed to by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kerwin, Mackey, Mansfield, Parcher, Saltonstall, Sears, Sebree, Smith, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—20.

NOES—Senators Davisson, Downing, Gideon, Kelly, McGinnis, Proctor, Ryors and Sheldon—8.

ABSENT—Senator Ketchum.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 10. Amend substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13 by striking out all of section 21, and inserting in lieu thereof the following :

Section 21. It shall be the duty of said Railroad Commissioners to see that such schedules of joint rates and charges are reasonable and just, and that such schedules of joint rates and charges shall be observed by all railroad companies who are parties to the same. But no such railroad company, party to any such joint tariff, shall be liable for the failure of any other company, party thereto, to observe and adhere to the rates and charges as made and published. If any such company shall neglect or refuse for a period of thirty days to file or publish its schedules of rates and charges, as provided for in this act, or any part of the same, it shall be the duty of the said Railroad Commissioners to make out and print a schedule or schedules of reasonable rates for such company and deliver copy or copies of the same to such common carrier. Such delivery may be made by any sheriff of any county of the State under order of the Railroad Commissioners ; and such schedule or schedules shall, from and after the time of such delivery, be the established schedule or schedules of rates for such company until altered, changed or set aside by an order of court ; and such company shall pay all costs for service of such copies of schedules of rates.

The amendment was read first and second times and agreed to by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Proctor, Saltonstall, Sears, Seabee, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—18.

NOES—Senators Davisson, Downing, Gideon, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Ryors, Sheldon and Webster—11.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 11. Amend section 22 by adding thereto the following : "And such Railroad Commissioners may institute any inquiry on their own motion in the same manner and to the same effect as though complaint had been made. No complaint shall at any time be dismissed because of the absence of direct damage to the complainant."

The amendment was not agreed to by the following vote :

AYES--Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood--14.

NOES--Senators Ball, Davisson, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sheldon, Smith and Webster--15.

ABSENT WITH LEAVE--Allen, Jacobs, Moran and Simrall--4.

SICK--Senator Seabourn.

Amendment No. 12. Amend substitute for Senate bills Nos. 1, 2, 3, etc., by striking out the word "twenty," in line one of section 24, and insert in lieu thereof the word "thirty."

The amendment was not agreed to by the following vote:

AYES--Senators Ball, Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood--15.

NOES--Senators Davisson, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sheldon, Smith and Webster--14.

ABSENT WITH LEAVE--Senators Allen, Jacobs, Moran and Simrall--4.

SICK--Senator Seabourn.

Amendment No. 13. Amend section 27 by inserting between the words "for" and "the," in line six, the words "the transportation upon the railroad operated by the railroad company complained of, of freight of the class for which."

The amendment was not agreed to by the following vote:

AYES--Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood--14.

NOES--Senators Ball, Davisson, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Smith and Webster--14.

ABSENT--Senator Sheldon.

ABSENT WITH LEAVE--Senators Allen, Jacobs, Moran and Simrall--4.

SICK--Senator Seabourn.

Amendment No. 14. Amend section 29 by striking out of line nine the "words "and any person or persons receiving such benefits."

The amendment was not agreed to by the following vote:

AYES--Senators Ball, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Saltonstall, Sears, Sparks of Cass, Sparks of Johnson, Taggart and Wood--14.

NOES--Senators Davisson, Downing, Gideon, Kelly, Kerwin,

Ketchum, McGinnis, Mansfield, Parcher, Proctor, Ryors, Sebree, Sheldon, Smith and Webster—15.

ABSENT—Senator Simrall.

ABSENT WITH LEAVE—Senators Allen, Jacobs and Moran—3.

SICK—Senator Seabourn.

Senator Sparks of Cass moved to take a recess till 2 o'clock. The motion was not agreed to by the following vote :

AYES—Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood—14.

NOES—Senators Ball, Davisson, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sheldon, Smith and Webster—15.

ABSENT ON LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

The following communication was received from the House of Representatives through the Chief Clerk, Mr. Hornbuckle, which was read :

MR. PRESIDENT: I am instructed by the House to inform the Senate that there has been introduced into and passed by the House, House bill No. 68, entitled "An act to amend section 816 of article 2 of chapter 21 of the Revised Statutes of Missouri of 1879, relating to railroad companies—scales for weighing by car load to be erected, where—penalty for refusal," by inserting between the words "of" and "the," in the twenty-fourth line of said section, the words "this or."

In which the concurrence of the Senate is respectfully requested.

Consideration of amendments to substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13 was resumed :

Amendment No. 15. Amend by adding a new section, which shall read as follows: "Section 35. There being no sufficient laws to regulate rates of freight on railroads in this State, an emergency exists; this act shall, therefore, take effect and be in force from and after its passage.

The amendment was not agreed to by the following vote :

AYES—Senators Ball, Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sparks of Cass, Sparks of Johnson, Taggart and Wood—14.

NOES—Senators Davisson, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sebree, Sheldon, Smith and Webster—15.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Senator Sebree moved that the Senate take a recess until 2 o'clock. The motion was not agreed to by the following vote:

AYES—Senators Hazell, Johnson of Madison, Mackey, Parcher, Saltonstall, Sparks of Cass, Sparks of Johnson and Taggart—8.

NOES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hunter, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sears, Sebree, Sheldon, Smith, Webster and Wood—21.

ABSENT WITH LEAVE—Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 17. Amend section 9 by striking out "ten per cent." from the schedule rate in classes F, G, H and I upon roads in groups A, B and C.

The amendment was not agreed to by the following vote:

AYES—Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—14.

NOES—Senators Ball, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sebree, Sheldon and Webster—14.

ABSENT—Senator Davisson.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 18. Amend section 9 by deducting twenty per cent. for the first fifty miles and ten per cent. for the second fifty miles on all articles in classes 1, 2, 3, 4 and 5 in groups A, B and C.

The amendment was not agreed to by the following vote:

AYES—Senators Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Smith, Sparks of Cass, Taggart and Wood—14.

NOES—Senators Ball, Davisson, Downing, Gideon, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sebree, Sheldon, Sparks of Johnson and Webster—15.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 19. Amend section 9 by adding in class E, after the words "all lumber not otherwise specified," the following words: "and melons in car load lots."

The amendment was read first and second time and agreed to by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Downing, Hazell,

Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sebree, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—18.

NOES—Senators Davisson, Gideon, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sheldon and Webster—11.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 20. Amend section 9 of substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13 by striking out of printed schedule the rates set forth under class F, class G, class H and class I, and insert in lieu thereof the following schedule of rates: [See House Journal, extra session, pages 218 and 219].

The amendment was not agreed to by the following vote:

AYES—Senators Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—15.

NOES—Senators Ball, Davisson, Downing, Gideon, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sebree, Sheldon and Webster—14.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Amendment No. 21. Amend section 8 by inserting between the words "provided" and "that," in the twenty-second line, the following words: "That independent lines of railroads which are now in class "C," of less than sixty (60) miles in length and wholly in this State, may charge, collect, demand and receive twenty-five per cent. more than the maximum rates hereby established for the transportation and."

The amendment was read first and second times and concurred in by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Mackey, Mansfield, Proctor, Saltonstall, Sears, Sebree, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—22.

NOES—Senators Gideon, Ketchum, McGinnis, Parcher, Ryors, Sheldon and Webster—7.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

The following amendment to House amendment No. 5 was taken up:

Amend amendment No. 5 by striking out the word "or," in the

third line of printed amendment, and insert in lieu thereof the word "and."

The amendment was adopted.

The House amendment, as amended, was not concurred in by the following vote:

AYES—Senators Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood—14.

NOES—Senators Davisson, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Sheldon, Smith and Webster—14.

ABSENT—Senator Ball.

ABSENT WITH LEAVE—Senators Allen, Jacobs, Moran and Simrall—4.

SICK—Senator Seabourn.

Senator Johnson of Montgomery submitted the following report from the Committee on Railroads and Internal Improvements, which was read:

MR. PRESIDENT: Your Committee on Railroads and Internal Improvements, to whom was referred House bill No. 67, entitled "An act to repeal section 828 of article 2 of the Revised Statutes of Missouri of 1879, entitled 'Private corporations,' and to enact a new section in lieu thereof," beg leave to report that they have carefully examined the same and recommend that it do pass.

On motion of Senator Johnson of Montgomery the Senate took a recess until 3 o'clock.

AFTERNOON SESSION.

President called the Senate to order.

The President laid before the Senate to following message from the Governor, which was read:

CITY OF JEFFERSON, June 30, 1887.

SIR: I have the honor to inform the Senate that I have appointed to the office of board of control of the "State Industrial Home for Girls," Mrs. Julia S. Vencient of St. Louis and John T. Daniel of Maryville, for a term of two years; Mrs. Isabelle R. Slack of Chillicothe and Thomas B. Yates of Gallatin, for a term of four years, and William McIlwrath of Chillicothe and John H. Shanklin of Trenton, for a term of six years, in which appointments the concurrence of the Senate is respectfully requested.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

House bill No. 68, entitled "An act to amend section 816 of article 2 of chapter 21 of the Revised Statutes of Missouri of 1879, relating to railroad companies—scales for weighing by car load to be erected, where—penalty for refusal, by inserting between the words 'of' and 'the,' in the twenty-fourth line of said section, the words 'this or,' " was read first time.

The following message was received from the Governor through Mr. Yantis, private secretary, which was read :

CITY OF JEFFERSON, June 30, 1887.

SIR: I have the honor to return to the Senate, with my approval endorsed thereon, substitute for bill No. 10, of the following title: "An act to amend section 727, article 1, chapter 21, Revised Statutes of Missouri of 1879, entitled 'Of private corporations.' "

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate.*

On motion of Senator Downing, the Senate went into a Committee of the Whole for the consideration of substitute for House bill No. 5, by the following vote:

AYES—Senators Allen, Ball, Castleman, Davisson, Downing, Gideon, Hunter, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Parcher, Proctor, Ryors, Sears, Sheldon, Smith and Webster—20.

NOES—Senators Claycomb, Hazell, Jacobs, Johnson of Madison, Johnson of Montgomery, Saltonstall, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood—11.

ABSENT WITH LEAVE—Senator Simrall.

SICK—Senators Mackey and Seabourn—2.

Senator Ryors in the chair.

The Committee of the Whole arose and Senator Ryors submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole, to whom was referred substitute for House bill No. 5, beg leave to report that they have carefully considered the same, beg leave to report progress and ask leave to sit again.

On motion of Senator Wood, the Senate adjourned by the following vote:

AYES—Senators Allen, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Kelly, Ketchum, Saltonstall, Sears, Sebree, Sparks of Cass, Sparks of Johnson, Taggart and Wood—16.

NOES—Senators Ball, Davisson, Downing, Gideon, Kerwin, McGinnis, Mansfield, Moran, Parcher, Proctor, Ryors, Sheldon, Smith and Webster—14.

ABSENT—Senator Jacobs

ABSENT WITH LEAVE—Senator Simrall.

SICK—Senators Mackey and Seabourn—2.

THIRTY-NINTH DAY—FRIDAY, JULY 1, 1887.

MORNING SESSION.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Senator Gideon, the Senate resolved itself into Committee of the Whole for the consideration of substitute for House bill No. 5.

Senator Sheldon in the chair.

The regular session was resumed, and Senator Sheldon submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole have had amendment to substitute for House bill No. 5 under consideration, ask leave to report progress, and ask leave to sit again.

On motion of Senator Wood, the Senate took a recess until 2 o'clock.

AFTERNOON SESSION.

The President *pro tem.* called the Senate to order.

On motion of Senator Gideon, the Senate resolved itself into Committee of the Whole for the consideration of substitute for House bill No. 5.

Senator Sheldon in the chair.

The regular session was resumed, and Senator Sheldon submitted the following report from the Committee of the Whole, which was read :

MR. PRESIDENT: Your Committee of the Whole, who have had under consideration amendment to substitute for House bill No. 5, beg leave to report that they have considered the same, and recommend that it do pass with accompanying amendments.

Amend section 2 by striking out the word "contemporaneous," in line 8.

The amendment was read first and second times and agreed to.

Amend section 3 by striking out the words "as far as practicable," in the 8th and 9th lines of the printed bill.

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5, by striking out of the 4th section all after and including the words "provided further," in the 13th line of original engrossed bill.

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5, by striking out from lines 10 and 11, of section 4, the words "or for officers or employes of railroads or other transportation companies for their personal or private purposes."

The amendment was read first and second times and agreed to.

Amend section 4 by striking out the following: "but such purposes shall not be construed to include transportation for commercial purposes," in line 11, after the word "purposes."

The amendment was read first and second times and agreed to.

Amendment to substitute to House bill No. 5: By inserting in the 6th section of printed bill, between the words "act" and "schedules," in the 5th line thereof, the following: "said rates shall be reasonable and just, and shall not in any case exceed the maximum rates which are or which may hereafter be established by law."

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5 by striking out the word "then," in the 18th line of section 6, and inserting in lieu thereof the following words: "now or that may hereafter be."

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5 by striking out the word "then," in the 41st line of section 6, and inserting in lieu thereof the words "now or that may hereafter be."

The amendment was read first and second times and agreed to.

Amend section 6 by inserting in the 18th line of the printed bill after the word "rates," the word "fares;" also, by inserting the word "fares" after the word "rates," in the 20th and 25th lines.

The amendment was read first and second times and agreed to.

Amend section 6 by inserting after the word "rates," in the 29th and 37th lines of the printed bill, the word "fares;" also, by inserting after the word "rates," in the 39th and 45th lines, the word "fares."

The amendment was read first and second times and agreed to.

Amend section 7 by inserting after the word "rates," in the 5th line of the printed bill, the word "fares."

The amendment was read first and second times and agreed to.

Amend section 8 by inserting the word "fares" after the word "rates," in the 2d, 3d, 7th and 9th lines of the printed bill.

The amendment was read first and second times and agreed to.

Amendment No. 13. Amend amendment to substitute for House bill No. 5 by striking out all of section 8 of engrossed bill, after the word "carrier," in the 14th line thereof, and inserting in lieu thereof the following: "such delivery shall be by messenger, by registered letter or by any sheriff in this State. It shall be the duty of every sheriff to serve and deliver the same whenever directed thereto by an order of said Board of Railroad Commissioners, and shall return the same in like manner, and with like effect to said board as in case of summons in civil suits. Such common carriers for whom such schedules shall be made by said board shall keep the same posted in their depots and stations as required in this act for schedules made out by them in compliance with law and the provisions of this act concerning the schedules required to be made by such commissioners, and the changing thereof shall apply to the schedules made by said board as provided in this section. The costs of preparing, printing and delivering said schedules shall be paid by such common carrier, and shall be specified in an order of said board entered of record, and a copy of said order certified by the secretary of said board shall be *prima facie* evidence of the amount which ought to be paid and may be recovered in an action in the name of the State at the relation of said board before any court or justice of the peace in this State having jurisdiction of the amount thereof. A copy of such schedules so made by said board, certified by the secretary of said board, shall, in proceeding wherein is involved the reasonableness and justness of the charges and rates of such commissioners, be *prima facie* evidence that rates therein fixed are reasonable and just."

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5 by inserting between the words "other" and "common," in the 6th line of section 8, the word "such."

The amendment was read first and second times and agreed to.

Amend section 9 by striking out the words "express or implied," in line 3 of said section.

The amendment was read first and second times and agreed to.

Amend section 10 by striking out the word "full," in the fifth line of the printed bill, and insert in lieu thereof the words "for three time the."

The amendment was read first and second times and agreed to.

Amendment No. 17. Amendment to substitute for House bill No. 5, by striking out the word "or," between the words "passes" and "such," in the sixth line of section 11 of printed bill, and insert in lieu thereof the word "and;" further amend said section 11 by inserting between the words "county" and "into," in the fifth line thereof in printed bill, the words "or city."

The amendment was read first and second times and agreed to.

Amend section 11 by striking out all between the word "suit," in the third line, and the word "in," in the fourth line of the printed bill, and by adding after the word "suit," in the third line, the word "therefor."

The amendment was read first and second times and agreed to.

Amend section 12 by striking out in the fifth and sixth lines of the printed bill the words "for the benefit of such common carrier."

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5:

No. 1. By striking out of lines 4 and 7 of section 12 thereof the word "wilfully."

No. 2. By striking out from line 5 and from lines 8 and 9 thereof the word "knowingly."

No. 3. By striking out all of section 12 after the word "guilty," in the eleventh line thereof, and by inserting in lieu thereof the following: "Of a violation of the law, and shall forfeit a sum not exceeding five thousand dollars for each and every offense."

The amendment was read first and second times and agreed to.

Amend section 12 of substitute for House bill No. 5 by striking out the word "and," in line 2, and insert the word "or."

The amendment was read first and second times and agreed to.

Amend section 13 by striking out the words "railroad or railroads," in the fifth line of the printed bill, and insert in lieu thereof the words "such common carrier."

The amendment was read first and second times and agreed to.

Amend section 13 by striking out the word "summons," in the seventeenth line of the printed bill, and insert in lieu thereof the word "service."

The amendment was read first and second times and agreed to.

Amend section 13 by striking out all that part of the section be-

tween the word "offenses," at the end of line 26, and the word "and," in line 30.

The amendment was read first and second times and agreed to.

Amend section 13 by striking out all after the word "complainant," in the forty-fifth line.

The amendment was read first and second times and agreed to.

Amend section 13 by striking out the word "a," in line 24 of said section.

The amendment was read first and second times and agreed to.

Amend House bill No. 5 by striking out the words "under like circumstances," in line 26 of section 13.

The amendment was read first and second time and agreed to.

Amend printed substitute for House bill No. 5 by substituting the following section for section 14 of the bill:

Section 14. The forfeitures and penalties herein provided for shall go to the county school fund of the county where sued for, and may be recovered in a civil action in the name of the State of Missouri, at the relation of the Board of Railroad Commissioners to the use of said fund in any county where the offense may occur, or into or through which the railroad operated by the railroad company offending, or on which it operates, may run. It shall be the duty of the circuit or prosecuting attorney, and such additional counsel residing in such county as said board may employ, to prosecute the same when directed by said board, and the attorneys prosecuting such suit shall receive for their services out of the amount collected by the suit the compensation allowed by law for collections made on forfeited recognizances. The Attorney-General shall assist in the prosecution when directed by the Board of Railroad Commissioners. And all suits instituted under the provisions of this act shall have precedence in all courts having jurisdiction thereof over all other suits therein, excepting criminal actions.

The amendment was read first and second times and agreed to.

Amend section 15 by striking out the word "ten," in the 30th line of printed bill, and insert in lieu thereof the word "thirty."

The amendment was read first and second times and agreed to.

Amend section 15 of House substitute No. 5 by adding at the end of said section the following words: *Provided*, that in all suits under this act such finding of the commissioners shall be *prima facie* evidence of the facts therein stated.

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5 by striking out of the 6th line of the 17th section of printed bill the words "it shall be the duty of the commissioners and lawful for," and insert in

lieu thereof thereof the words "It shall be lawful for the Board of Railroad Commissioners or."

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5 by inserting between the words "same" and "and," in the 32d line of section 17 thereof, the following: "If such court shall hold and decide that any order of said Board of Railroad Commissioners² involved in such proceeding was not a lawful order, said court shall, without any reference to the regularity or legality of the proceedings of said board, or of the order thereof, proceed to make such order as the said board should have made, and to enforce said order by the process of said court, and to enforce and collect the forfeitures and penalties herein provided, in all respects according to the provisions of this act."

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5 by inserting between the words "State," in the 71st line of section 17 of printed bill, and the word "ordered," in the 71st and 72d lines thereof, the following: "When such suit is brought by any private person, and when brought by said commissioners shall be."

The amendment was read first and second times and agreed to.

Amend section 17 by striking out all that part of the section between the words "speedily," in line 17, and the last word "in," in line 18, printed bill.

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5 by inserting between the 31st line of section 16 of printed bill and the first line of section 17 thereof, the following: "Section 16a. That when the complaint specified in section thirteen of this act shall allege that unreasonable charges are made by any such common carrier or carriers subject to the provisions of this act, for the transportation of any freight thereby, or that the rates specified upon the schedule or schedules of rates made by such common carrier or carriers, in obedience to the provisions of this act, are unjust, unreasonable or extortionate, it shall be the duty of the Board of Railroad Commissioners, if in their opinion the facts alleged present a just cause of complaint; and if upon hearing there appears to said board to be reasonable grounds for believing that the facts so alleged are true, and if, in the opinion of the board, the public good will be promoted by an examination thereof, to give notice, in writing, to the common carrier or carriers against which such complaint shall have been made, of the fact and nature thereof, and shall specify in such notice the charges by it made, and the rates specified upon its schedules which are alleged to be unjust, unreasonable or extortionate; such notice shall be attested by the secretary of said board, under the

seal thereof, and shall be served upon such common carrier or carriers against which such complaint is made, by delivering a copy thereof at the general office of such common carrier or carriers to any person in charge thereof, or to any agent thereof at any depot or station thereof, or on which such common carrier or carriers operate, by any messenger appointed by said board who would be a competent witness in a suit at law in this State, or by any officer authorized to serve process, or by sending the same by registered letter to such common carrier or carriers at such general office, or to any such agent having charge of such depot or station as aforesaid.

SEC. 16b. If such common carrier or carriers shall not, within five days after the service of such notice as aforesaid, change or modify such charges or rates specified in such notice in a manner and to an extent satisfactory to said board, then said board may proceed to examine and investigate the matters alleged in said complaint, and for that purpose may give notice to the parties making, and against whom is made, such complaint; said notice to be served as provided for the service of notices aforesaid, wherein it shall require such common carrier or carriers to show cause before said board at any place within this State in said notice specified and upon a date not less than ten days after the service thereof, why said charges or rates should not be modified or changed.

SEC. 16c. That if upon such examination it shall appear to said board upon a full and fair hearing of the parties to said complaint that the facts therein alleged are true, and that such charges or rates should be changed or modified, then said board shall, by an order entered upon the records thereof, find and determine what would be reasonable and just charges or rates for the transportation by such common carrier complained of freight of the class for which such charges or rates complained of were made; and a certified copy of such finding and order, so made under the seal of said board, attested by the secretary thereof, shall be delivered to the complainants, and such common carrier or carriers against which such complaint is made, by registered letter or otherwise, as may be prescribed by the rules of said board. The rates or charges so found and determined by said order, proven by a copy thereof, certified as aforesaid, shall in any and all proceedings wherein is involved the reasonableness and justness of the rates and charges by such common carrier or carriers, be *prima facie* evidence that the same are reasonable and just. Such order may be revoked or modified and renewed from time to time by said board, but no revocation or modification thereof shall go into effect until ten days after the order therefor shall be made.

The amendment was read first and second times and agreed to.

Amend amendment to substitute for House bill No. 5 by adding the following new section, to be known as section 2a: It shall be unlawful for any such common carrier to charge, collect, demand or receive more for transporting a car of freight than it at the same time charges, collects, demands or receives per car for several cars of a like class of freight over the same railroad, for the same distance, in the same direction, under substantially similar circumstances and conditions, or to charge, collect, demand or receive more for transporting a ton of freight than it charges, collects, demands or receives per ton for several tons of freight, under a car load, of a like class of freight over the same railroad, for the same distance, in the same direction, under substantially similar circumstances and conditions; or to charge, collect demand or receive more for transporting a hundred pounds of freight than it charges, collects, demands or receives per hundred for several hundred pounds of freight, under a ton, of a like class of freight over the same railroad, for the same distance, in the same direction, under substantially similar circumstances and conditions; all such discriminating rates, charges, collections or receipts, whether made directly or by means of any rebate, drawback or other shift or evasion, shall be deemed and taken against such railroad company as *prima facie* evidence of the unjust discrimination prohibited by this act: *Provided*, however, that for the protection and development of any new industry within this State, such railroad company may grant concessions or special rates for any agreed number of car loads, but such special rates as aforesaid shall first be approved by the board of Railroad Commissioners, and a copy thereof filed in the office thereof.

The amendment was read first and second times and agreed to by the following vote:

AYES—Senators Castleman, Claycomb, Downing, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Taggart and Wood—19.

NOES—Senators Allen, Ball, Davisson, Gideon, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Proctor, Ryors, Sparks of Johnson and Webster—15.

Senator Moran offered as an amendment a substitute for section 6.

Senator Claycomb offered a substitute for the amendment, which was rejected by the following vote:

AYES—Senators Claycomb, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Seabourn, Sears, Sheldon, Sparks of Cass, Sparks of Johnson, Taggart and Wood—16.

NOES—Senators Allen, Ball, Castleman, Davisson, Downing, Gid-

eon, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Moran, Proctor, Ryors, Sebree, Simrall, Smith and Webster—18.

Senator Parcher offered the following amendment, which was not agreed to :

Move to amend amendment offered by the Senator from Buchanan by striking out the word "maximum."

The question recurring on the amendment offered by Senator Moran, it was not agreed to by the following vote :

AYES—Senators Allen, Hazell, Johnson of Madison, Kelly, Kerwin, Moran, Parcher, Saltonstall, Simrall and Taggart—10.

NOES—Senators Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Montgomery, Ketchum, McGinnis, Mackey, Mansfield, Proctor, Ryors, Seabourn, Sears, Sebree, Sheldon, Smith, Sparks of Cass, Sparks of Johnson, Webster and Wood—24.

Senator Sparks offered the following amendment :

Amend section 6 by striking from lines 17 and 18 the following: "Not being in excess of any statutory maximum rates then in force," and by striking from lines 40 and 41 of said section, "not being in excess of the statutory maximum rates then in force."

The amendment was not agreed to by the following vote:

AYES—Senators Hazell, Parcher, Sears, Smith, Sparks of Cass, Sparks of Johnson and Taggart—7.

NOES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proctor, Ryors, Saltonstall, Seabourn, Sebree, Sheldon, Simrall, Webster and Wood—27.

Senator Sparks of Johnson offered the following amendment :

Amend section 21 by substituting therefor the following:

That sections 820, 821 and 822 of article 2, chapter 21, and sections 833, 834, 835, 838, 839, 840, 842 and 844 of article 3, chapter 21 of the Revised Statutes of the State of Missouri; also, act of April 2, 1883, entitled "An act to prevent the change of rates for freight without notice thereof, by railroad companies in this State," being an act published in the session laws of 1881, and found on pages 51 and 52 of session laws, and all acts or parts of acts inconsistent with this act be and they are hereby repealed.

The amendment was not agreed to by the following vote:

AYES—Senators Claycomb, Hazell, Parcher, Smith and Sparks of Johnson—5.

NOES—Senators Allen, Ball, Castleman, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mackey, Mansfield, Moran, Proc-

tor, Ryors, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks of Cass, Taggart, Webster and Wood—29.

Senator Davisson offered a substitute for substitute for House bill No. 5, which was lost by the following vote:

AYES—Senators Davisson, Kerwin, McGinnis and Ryors—4.

NOES—Senators Allen, Ball, Castleman, Claycomb, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Ketchum, Mackey, Mansfield, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—28.

ABSENT—Senators Kelly and Moran—2.

Senator Parcher offered the following amendment, which was not agreed to:

Amend section 13, in line 31, by striking out the words “wilfully or knowingly.”

Senator Smith offered the following amendment, which was read first and second times:

Amend printed substitute for House bill No. 5 by striking out all between the word “State,” in line 26, and the word “if,” in line 35 of section 15 of said bill, and insert the following: “And if said common carrier shall fail or refuse to pay the amount adjudged to be due on or before the day specified aforesaid, said commissioners may, at their own instance, and shall when requested by the person or persons injured or damaged, cause the Attorney-General or the prosecuting attorney of the proper county, to institute suits against such common carrier in the name of the State of Missouri, at the relation and to the use of the party injured or damaged, to enforce the payment thereof, together with costs, and upon the trial of such cause a certified copy of the award and decision of said commissioners shall be received as *prima facie* evidence of each and every fact therein stated: *And provided, however,* that the person or persons to whom such damages are due may institute suit for same in his own name.

The amendment was agreed to by the following vote:

AYES—Senators Allen, Ball, Claycomb, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—22.

NOES—Senators Castleman, Davisson, Downing, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors and Webster—11.

ABSENT—Senator Moran.

Senator Sparks of Cass offered the following amendment:

Amend by inserting after section 17 the following, to be known and numbered as section 17a: Section 17a. It shall be unlawful for

any such railroad company to require or compel any shipper or any person or persons offering to ship any freight, goods or merchandise, live stock or grain, to sign any written or printed contract or memorandum releasing any such railroad company from any liability imposed by law, and any such contract or memorandum, purporting to release any such railroad company from any such liability, shall be null and void.

The amendment was not agreed to by the following vote :

AYES—Senators Castleman, Claycomb, Hazell, Johnson of Montgomery, Mackey, Parcher, Saltonstall, Sears, Sebree, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart and Wood—15.

NOES—Senators Ball, Davisson, Downing, Gideon, Hunter, Jacobs, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Ryors, Seabourn, Sheldon and Webster—17.

ABSENT—Senators Allen and Moran—2.

Senator Parcher offered the following amendment :

Amend by adding at conclusion of section 6 the words “and may in their discretion modify and enforce the same.”

The amendment was not agreed to.

Senator Wood moved to reconsider the vote by which amendment No. 3 was adopted. The motion was not agreed to.

The bill, as amended, was read third time and passed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Montgomery, Kelly, Ketchum, Mackey, Mansfield, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Smith, Sparks of Cass, Sparks of Johnson, Taggart, Webster and Wood—29.

NOES—Senators Kerwin, McGinnis, Parcher and Ryors—4.

ABSENT—Senator Moran.

The title was read and agreed to.

Senator Ball moved to reconsider the vote by which the bill passed, and lay that motion on the table. The latter motion prevailed.

The Senate took up the appointments of the Governor to the office of board of control for the State Industrial School for Girls :

Mrs. Julia S. Vincent of St. Louis, and John T. Daniel of Maryville, for a term of two years ; Mrs. Isabella R. Slack of Chillicothe, and Thos. B. Yates of Gallatin, for a term of four years, and Wm. McElrath of Chillicothe and John H. Shanklin of Trenton, for a term of six years.

The appointments were confirmed by the following vote :

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Gideon, Hazell, Hunter, Jacobs, Johnson of Madison, Johnson of Mont-

gomery, Kelly, Ketchum, McGinnis, Mackey, Parcher, Proctor, Saltonstall, Seabourn, Sears, Sebree, Sheldon, Simrall, Sparks of Cass, Sparks of Johnson, Taggart and Wood—27.

ABSENT—Senators Downing, Kerwin, Mansfield, Moran, Ryors, Smith and Webster—7.

On motion of Senator Castleman, the Senate adjourned by the following vote:

AYES—Senators Ball, Castleman, Claycomb, Hazell, Johnson of Madison, Johnson of Montgomery, Mackey, Proctor, Saltonstall, Sears, Sebree, Simrall, Smith, Sparks of Cass, Sparks of Johnson and Taggart—16.

NOES—Senators Allen, Davisson, Downing, Gideon, Hunter, Jacobs, Kelly, Kerwin, Ketchum, McGinnis, Parcher, Ryors, Seabourn, Sheldon and Wood—15.

ABSENT—Senators Mansfield, Moran and Webster—3.

FORTIETH DAY—SATURDAY, July 2, 1887.

Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

A quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

House bill No. 67, entitled "An act to repeal section 828 of article 2 of the Revised Statutes of Missouri of 1879, entitled 'Private corporations,' and to enact a new section in lieu thereof," was read third time and passed by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Davisson, Downing, Gideon, Hazell, Johnson of Madison, Johnson of Montgomery, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Parcher, Proctor, Sears, Sheldon, Smith, Sparks of Johnson, Taggart and Webster—23.

NOES—Senators Hunter and Ryors—2.

ABSENT WITH LEAVE—Senators Jacobs, Mackey, Moran, Saltonstall, Seabourn, Sebree, Simrall, Sparks of Cass and Wood—9.

The title was read and agreed to.

Senator Parcher moved to reconsider the vote by which the bill passed, and to lay that motion on the table. The latter motion prevailed.

Senator Castleman offered the following resolution, which was read and adopted:

Resolved, That the Secretary be allowed to retain his staff for ten days after adjournment *sine die*, for the purpose of finishing up the business and records of the extra session of the Thirty-fourth General Assembly.

Joint and concurrent resolution fixing the time of adjournment was called up and laid over informally by the following vote:

AYES—Senators Allen, Ball, Castleman, Claycomb, Hazell, Hunter, Johnson of Madison, Johnson of Montgomery, Ketchum, Saltonstall, Sears, Simrall, Smith, Sparks of Johnson and Taggart—15.

NOES—Senators Davisson, Downing, Gideon, Kerwin, Proctor, Ryors, Sheldon and Webster—8.

ABSENT—Senators Kelly, McGinnis and Parcher—3.

ABSENT WITH LEAVE—Senators Jacobs, Mackey, Mansfield, Moran, Seabourn, Sebree, Sparks of Cass and Wood—8.

Senator Johnson of Madison offered the following resolution, which was read and agreed to by the following vote:

Resolved, That the door keeper and the clerk of the Committee on Accounts be retained to assist the Secretary's force and close up the business for the ten days after adjournment.

AYES—Senators Allen, Ball, Davisson, Gideon, Johnson of Madison, Kelly, Kerwin, Ketchum, McGinnis, Mansfield, Proctor, Sheldon and Smith—13.

NOES—Senators Castleman, Claycomb, Downing, Hazell, Johnson of Montgomery, Ryors, Saltonstall, Sears, Simrall, Sparks of Johnson and Taggart—11.

ABSENT—Senators Hunter, Parcher and Webster—3.

ABSENT WITH LEAVE—Senator Jacobs, Mackey, Moran, Seabourn, Sebree, Sparks of Cass and Wood—7.

The following communications were received from the House of Representatives through the Chief Clerk, which were read:

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up House amendment to substitute for Senate bills Nos. 1, 2, 3, 4, 6, 7, 12 and 13, in which the Senate refuses to concur. The House refuses to recede and insists on their amendments Nos. 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17 and 18, and have appointed as conference committee, Messrs. Booth, Timmonds and Kelly, and requests a like committee by the Senate.

MR. PRESIDENT: I am instructed by the House to inform the Senate that they have taken up Senate amendments to substitute for House bill No. 5 and concurred in them as follows:

Amendment No. 1. Amend amendment to substitute for House bill No. 5, by striking out the word "contemporaneous," in line eight in section 2 of printed bill.

Amendment No. 2. Amend section 3 by striking out the words "as far as practicable," in the 8th and 9th lines of printed bill.

Amendment No. 3. Amend amendment to substitute for House bill No. 5, by striking out of the 4th section all after and including the words "provided further," in the thirteenth line of the original engrossed bill.

Amendment No. 4. Amend amendment to substitute for House bill No. 5, by striking out from lines ten and eleven of section 4, the words "or for officers or employes of railroad or other transportation companies for their personal or private purposes."

Amendment No. 5. Amend section 4 by striking out the following: "But such purposes shall not be construed to include transportation for commercial purposes," in line eleven, after the word "purposes."

Amendment No. 6. Amend amendment to substitute for House bill No. 5 by inserting in the 6th section of printed bill, between the words "act" and "schedules," in the 5th line thereof, the following: "Said rates shall be reasonable and just, and shall not in any case exceed the maximum rates which are, or which may hereafter be established by law."

Amendment No. 7. Amend amendment to substitute for House bill No. 5 by striking out the word "then," in the 18th line of section 6, and inserting in lieu thereof the following words: "now or that may hereafter be."

Amendment No. 8. Amend amendment to substitute for House bill No. 5 by striking out the word "then," in the 41st line of section 6, and inserting in lieu thereof the words "now or that may hereafter be."

Amendment No. 9. Amend section 6 by inserting in the 18th line of the printed bill after the word "rates," the word "fares;" also, by inserting the word "fares," after the word "rates," in the 20th and 25th lines.

Amendment No. 10. Amend section 6 by inserting after the word "rates," in the 29th and 37th lines of the printed bill, the word "fares;" also, by inserting after the word "rates," in the 39th and 45th lines, the word "fares."

Amendment No. 11. Amend section 7 by inserting after the word "rates," in the 5th line of the printed bill, the word "fares."

Amendment No. 12. Amend section 8 by inserting the word "fares," after the word "rates," in the 2d, 3d, 7th and 9th lines of the printed bill.

Amendment No. 13. Amend amendment to substitute for House bill No. 5 by striking out all of section 8 of engrossed bill, after the word "carrier," in the 14th line thereof, and inserting in lieu thereof the following: "Such delivery shall be by messenger, by registered letter or by any sheriff in this State. It shall be the duty of every sheriff to serve and deliver the same whenever directed thereto by an order of said Board of Railroad Commissioners, and shall return the same in like manner, and with like effect to said board as in case of summons in civil suits. Such common carriers for whom such schedules shall be made by said board, shall keep the same posted in their depots and stations as required in this act for schedules made out by them in compliance with law and the provisions of this act concerning the schedules required to be made by such commissioners, and the changing thereof shall apply to the schedules made by said board as provided in this section. The costs of preparing, printing and delivering said schedules shall be paid by such common carrier, and shall be specified in an order of said board entered of record, and a copy of said order certified by the secretary of said board shall be *prima facie* evidence of the amount which ought to be paid, and may be recovered in an action in the name of the State at the relation of said board before any court or justice of the peace in this State having jurisdiction of the amount thereof. A copy of such schedules so made by said board, certified by the secretary of said board, shall, in proceeding wherein is involved the reasonableness and justness of the charges and rates of such commissioners be *prima facie* evidence that rates therein fixed are reasonable and just."

Amendment No. 14. Amend amendment to substitute for House bill No. 5 by inserting between the words "other" and "common," in the 6th line of section 8, the word "such."

Amendment No. 15. Amend section 9 by striking out the words "expressed or implied," in line three of said section.

Amendment No. 16. Amend section 10 by striking out the word "full," in the fifth line of the printed bill, and insert in lieu thereof the words "for three times the."

Amendment No. 17. Amend substitute for House bill No. 5, by striking out the word "or," between the words "passes" and "such," in the sixth line of section 11 of printed bill, and insert in lieu thereof the word "and;" further amend said section 11 by inserting be-

tween the words "county" and "into," in the 5th line thereof in the printed bill, the words "or city."

Amendment No. 18. Amend section 11 by striking out all between the word "suit," in the third line, and the word "in," in the fourth line of the printed bill, and by adding after the word "suit," in the third line, the word "therefor."

Amendment No. 19. Amend section 12 by striking out in the 5th and 6th lines of the printed bill, the words "for the benefit of such common carrier."

Amendment No. 20. Amend amendment to substitute for House bill No. 5: First—By striking out of lines 4 and 7 of section 12 thereof, the word "wilfully." Second—By striking out from line 5 and from lines 8 and 9 thereof the word "knowingly." Third—By striking out all of section 12 after the word "guilty," in the 11th line thereof, and by inserting in lieu thereof the following: "Of a violation of the law, and shall forfeit a sum not exceeding five thousand dollars for each and every offense."

Amendment No. 21. Amend section 12 of substitute for House bill No. 5 by striking out the word "and," in line 2, and insert the word "or."

Amendment No. 22. Amend section 13 by striking out the words "railroad or railroads," in the fifth line of the printed bill, and insert in lieu thereof the words, "such common carrier."

Amendment No. 23. Amend section 13, by striking out the word "summons," in the 17th line of the printed bill, and insert in lieu thereof the word "service."

Amendment No. 24. Amend section 13 by striking out all that part of the section between the word "offenses," at the end of line 26, and the word "and," in line 30.

Amendment No. 25. Amend section 13, by striking out all after the word "complainant," in the 45th line.

Amendment No. 26. Amend section 13, by striking out the word "a," in line 24 of said section.

Amendment No. 27. Amend House bill No. 5 by striking out the words "under like circumstances," in line 26 of section 13.

Amendment No. 28. Amend printed substitute for House bill No. 5, by substituting the following section for section 14 of the bill:

Section 14. The forfeitures and penalties herein provided for shall go to the county school fund of the county where the complainant resides, if in this State, and if not then where sued for, and may be recovered in a civil action in the name of the State of Missouri, at the relation of the Board of Railroad Commissioners to the use of said fund in any county where the offense may occur, or into or through

which the railroad operated by the railroad company offending, or on which it operates, may run. It shall be the duty of the circuit or prosecuting attorney, and such additional counsel residing in such county, as said board may employ to prosecute the same, when directed by said board and the attorneys prosecuting such suit shall receive for their services, out of the amount collected by the suits, the compensation allowed by law for collections made on forfeited recognizances. The Attorney-General shall assist in the prosecution when directed by the Board of Railroad Commissioners. And all suits instituted under the provisions of this act shall have precedence in all courts having jurisdiction thereof over all other suits therein, excepting criminal actions.

Amendment No. 30. Amend section 15 by striking out the word "ten," in the 30th line of printed bill, and insert in lieu thereof the word "thirty."

Amendment No. 31. Amend section 15 of House substitute No. 5 by adding at the end of said section the following words: *Provided*, that in all suits under this act such finding of the commissioners shall be *prima facie* evidence of the facts therein stated."

Amendment No. 32. Amend amendment to substitute for House bill No. 5 by striking out of the 6th line of the 17th section of printed bill the words "it shall be the duty of the commissioners and lawful for," and insert in lieu thereof the words "it shall be lawful for the Board of Railroad Commissioners or."

Amendment No. 33. Amend amendment to substitute for House bill No. 5 by inserting between the words "same" and "and," in the 32d line of section 17 thereof, the following: "If such court shall hold and decide that any order of said Board of Railroad Commissioners involved in such proceeding was not a lawful order, said court shall, without any reference to the regularity or legality of the proceedings of said board or of the order thereof, proceed to make such order as the said board should have made, and to enforce said order by the process of said court, and to enforce and collect the forfeitures and penalties herein provided in all respects according to the provisions of this act."

Amendment No. 34. Amend amendment to substitute for House bill No. 5 by inserting between the words "State" in the 71st line of section 17 of printed bill, and the word "ordered," in the 71st and 72d lines thereof, the following: "when such suit is brought by any private person, and when brought by said commissioners shall be."

Amendment No. 35. Amend section 17 by striking out all that part of the section between the word "speedily," in line 17, and the last word "in," in line 18, printed bill.

Amendment No. 36. Amend amendment to substitute for House

bill No. 5 by inserting between the 31st line of section 16 of printed bill, and the 1st line of section 17 thereof, the following: "Section 16a. That when the complaint specified in section thirteen of this act shall allege that unreasonable charges are made by any such common carrier or carriers subject to the provisions of this act, for the transportation of any freight thereby, or that the rates specified upon the schedule or schedules of rates made by such common carrier or carriers in obedience to the provisions of this act, are unjust, unreasonable or extortionate, it shall be the duty of the Board of Railroad Commissioners, if in their opinion the facts alleged present a just cause of complaint; and if upon hearing there appears to said board to be reasonable grounds for believing that the facts so alleged are true, and if, in the opinion of the board the public good will be promoted by an examination thereof, to give notice in writing to the railroad company or companies against which such complaint shall have been made of the fact and nature thereof, and shall specify in such notice the charges by it made, and the rates specified upon its schedules which are alleged to be unjust, unreasonable or extortionate, such notice shall be attested by the secretary of said board under the seal thereof, and shall be served upon the common carrier or carriers against which such complaint is made by delivering a copy thereof at the general office of such common carrier or carriers to any person in charge thereof, or to any agent thereof at any depot or station thereof, or on which is operated such common carrier or carriers, by any messenger appointed by said board who would be a competent witness in a suit at law in this State, or by any officer authorized to serve process, or by sending the same by registered letter to such common carrier or carriers at such general office, or to any such agent having charge of such depot or station as aforesaid.

Section 16b. If such common carrier or carriers shall not, within five days after the service of such notice as aforesaid, change or modify such charges or rates specified in such notice in a manner and to an extent satisfactory to said board, then said board may proceed to examine and investigate the matters alleged in said complaint, and for that purpose may give notice to the parties making and against whom is made such complaint; said notice to be served as provided for the service of notice as aforesaid, wherein it shall require said common carrier or carriers to show cause before said board at any place within this State in said notice specified, and upon a date not less than ten days after the service thereof, why said charges or rates should not be modified or changed.

Section 16c. That if upon such examination it shall appear to said board upon a full and fair hearing of the parties to said complaint

that the facts therein alleged are true, and that such charges or rates should be changed or modified, then said board shall, by an order entered upon the records thereof, find and determine what would be reasonable and just charges or rates for the transportation by such common carrier complained of, freight of the class for which such charges or rates complained of were made; and a certified copy of such finding and order so made under the seal of said board, attested by the secretary thereof, shall be delivered to the complainants and railroad company or companies against which such complaint is made, by registered letter or otherwise, as may be prescribed by the rules of said board. The rates or charges so found and determined by said order, proven by a copy thereof certified as aforesaid, shall in any and all proceedings wherein is involved the reasonableness and justness of the rates and charges by such railroad company or companies be *prima facie* evidence that the same are reasonable and just. Such order may be revoked or modified and renewed from time to time by said board, but no revocation or modification thereof shall go into effect until ten days after the order therefor shall be made.

Amendment No. 37. Amend amendment to substitute for House bill No. 5, by adding the following new section, to be known as section 2a:

[Section 2a.] It shall be unlawful for any such common carrier to charge, collect, demand or receive more for transporting a car of freight than it at the same time charges, collects, demands or receives per car for several cars of a like class of freight over the same railroad, for the same distance, in the same direction, under substantially similar circumstances and conditions; or to charge, collect, demand or receive more for transporting a ton of freight than it charges, collects, demands or receives per ton for several tons of freight, under a car load, of a like class of freight over the same railroad, for the same distance, in the same direction, under substantially similar circumstances and conditions; or to charge, collect, demand or receive more for transporting a hundred pounds of freight than it charges, collects, demands or receives per hundred for several hundred pounds of freight, under a ton, of a like class of freight, over the same railroad, for the same distance, in the same direction, under substantially similar circumstances and conditions; all such discriminating rates, charges, collections or receipts, whether made directly or by means of any rebate, drawback or other shift or evasion, shall be deemed and taken against such railroad company as *prima facie* evidence of the unjust discrimination prohibited by this act: *Provided, however*, that for the protection and development of any new industry within this State, such railroad company may grant concessions or special rates for any agreed num-

ber of car loads, but such special rates as aforesaid, shall first be approved by the Board of Railroad Commissioners, and a copy thereof filed in the office thereof.

Amendment No. 39. Amend printed substitute for House bill No. 5 by striking out all between the word "State," in line twenty-six, and the word "if," in line thirty-five of section fifteen of said bill, and insert the following: "And if said common carrier shall fail or refuse to pay the amount adjudged to be due, on or before the day specified aforesaid, said commissioners, may at their own instance, and shall, when requested by the person or persons injured or damaged, cause the Attorney-General or the prosecuting attorney, of the proper county to institute suits against such common carrier in the name of the State of Missouri, at the relation and to the use of the party injured or damaged, to enforce the payment thereof, together with costs; and upon the trial of such cause a certified copy of the award and decision of said commissioners shall be received as *prima facie* evidence of each and every fact therein stated: *And provided, however,* that the person or persons to whom such damages are due may institute suit for same in his own name."

On motion of Senator McGinnis the Senate took a recess until 10:30 o'clock.

Session resumed at 10:30.

The following message was received from the Governor, through his private secretary, which was read:

CITY OF JEFFERSON, July 2, 1887.

SIR: I have the honor to return to the Senate, with my approval endorsed thereon, bill No. 8, of the following title: "An act to appropriate money to defray the necessary expenses of the extra session of the Thirty-fourth General Assembly.

Very respectfully,

JOHN S. MARMADUKE.

To HON. A. P. MOREHOUSE, *President of Senate*.

Senator McGinnis offered the following resolution, which was read and adopted:

Resolved, That the sincere thanks of the Senators are due to the presiding officers of this body for the uniform courtesy, ability and impartiality which have characterized their rulings during our deliberations.

The president announced that all other business would be suspended and directed the secretary to read at length House bill No. 67, entitled "An act to repeal section 828 of article 2 of the Revised Statutes of Missouri of 1879; entitled 'Private corporations,' and to enact a

new section in lieu thereof, and that unless objection be made he would sign the same to the end that it become a law. The bill was read at length, and no objection being made, the presiding officer in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

Senator Simrall offered the following resolution, which was read and adopted:

Resolved, That 5,000 copies of the railroad bill, as amended by the Senate and finally adopted by both houses of this General Assembly, be printed for information and for the use of the Senate, and that the Secretary of the Senate be and he is hereby directed to mail, postage paid, 140 copies of each to each member of the Senate and to the Lieutenant-Governor, at their postoffice address, and that the expenses of said postage be paid as contingent expenses of the Senate.

Senator Castleman offered the following resolution, which was adopted:

Resolved by the Senate, the House of Representatives concurring therein, That a joint committee of five, two to be appointed by the President of the Senate and three by the Speaker of the House, to wait upon and inform the Governor that the Thirty-fourth General Assembly, convened in extra session, is now about to adjourn, and is ready for and awaits any communication which he may desire to submit.

The President appointed Senators Castleman and McGinnis under the above resolution to wait upon the Governor.

The following joint and concurrent resolution was taken up and agreed to:

Resolved by the House of Representatives, the Senate concurring therein, That the Thirty-fourth General Assembly adjourn *sine die* at 12 o'clock M.

Senator Castleman submitted the following report from the Committee to wait on the Governor:

MR. PRESIDENT: Your Committee appointed to wait upon the Governor and inform him that the Thirty-fourth General Assembly, convened in extra session, is now about to adjourn, and is ready for and awaits any communication which he may desire to submit, respectfully reports that they have waited upon the Governor and that they are requested by the Governor to report that he has no further communication to submit.

The President announced that all other business would be suspended and directed the Secretary to read at length substitute for House bill No. 5, entitled "An act to regulate railroad corporations," and that unless objection be made, he would sign the same to the end that it

become a law. The bill was read at length, and no objection being made, the presiding officer, in the presence of the Senate, in open session, and no other business intervening, affixed his signature thereto.

The time fixed for the adjournment having arrived, to wit: 12 o'clock m., the President announced that the Senate of the extra session of the Thirty-fourth General Assembly of Missouri was now adjourned *sine die*.

ALBERT P. MOREHOUSE,
President of the Senate.

SUPPLEMENT.

EXECUTIVE DEPARTMENT }
CITY OF JEFFERSON, July 5, 1887. }

HON. M. K. McGRATH, *Secretary of State*:

SIR: I have the honor to return to you, with my approval endorsed thereon, bills which originated in the House of Representatives and were presented to me within the ten days next preceding the adjournment of the General Assembly, of the following titles:

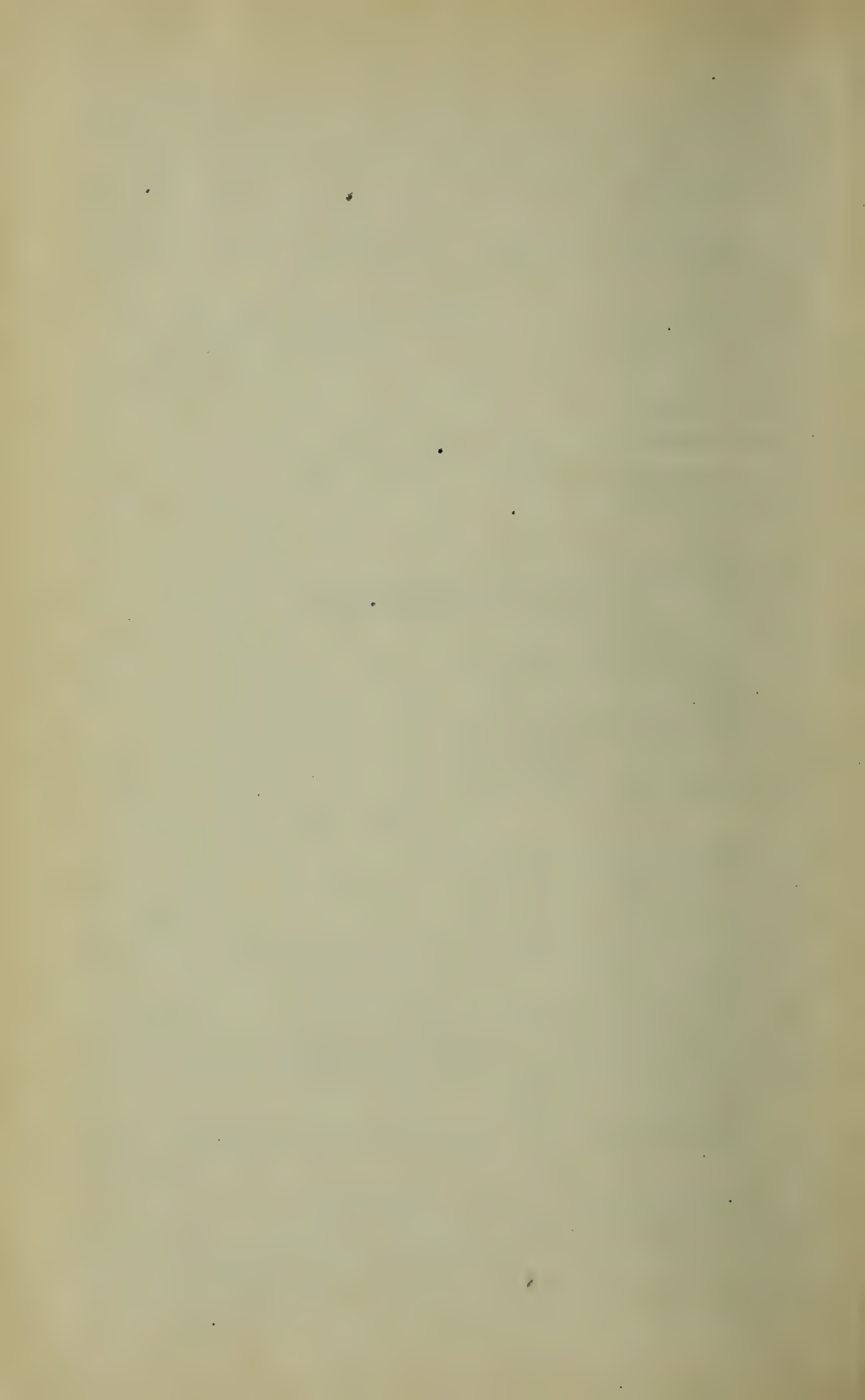
No. 11. "An act requiring railroad companies to connect their lines with switches, and to furnish cars to shippers, and permitting shippers to furnish their own cars in certain cases, and prescribing penalties for the violation thereof;"

No. 67. "An act to repeal section 828 of article 2 of the Revised Statutes of the State of Missouri of 1879, entitled 'Private corporations,' and to enact a new section in lieu thereof;"

Substitute for bill No. 5. "An act to regulate railroad corporations."

Very respectfully,

JOHN S. MARMADUKE.



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10	to amend sec. 727, corporations.17, 21, 27, 28, 32, 38, 57, 58, 59, 93	Mansfield.
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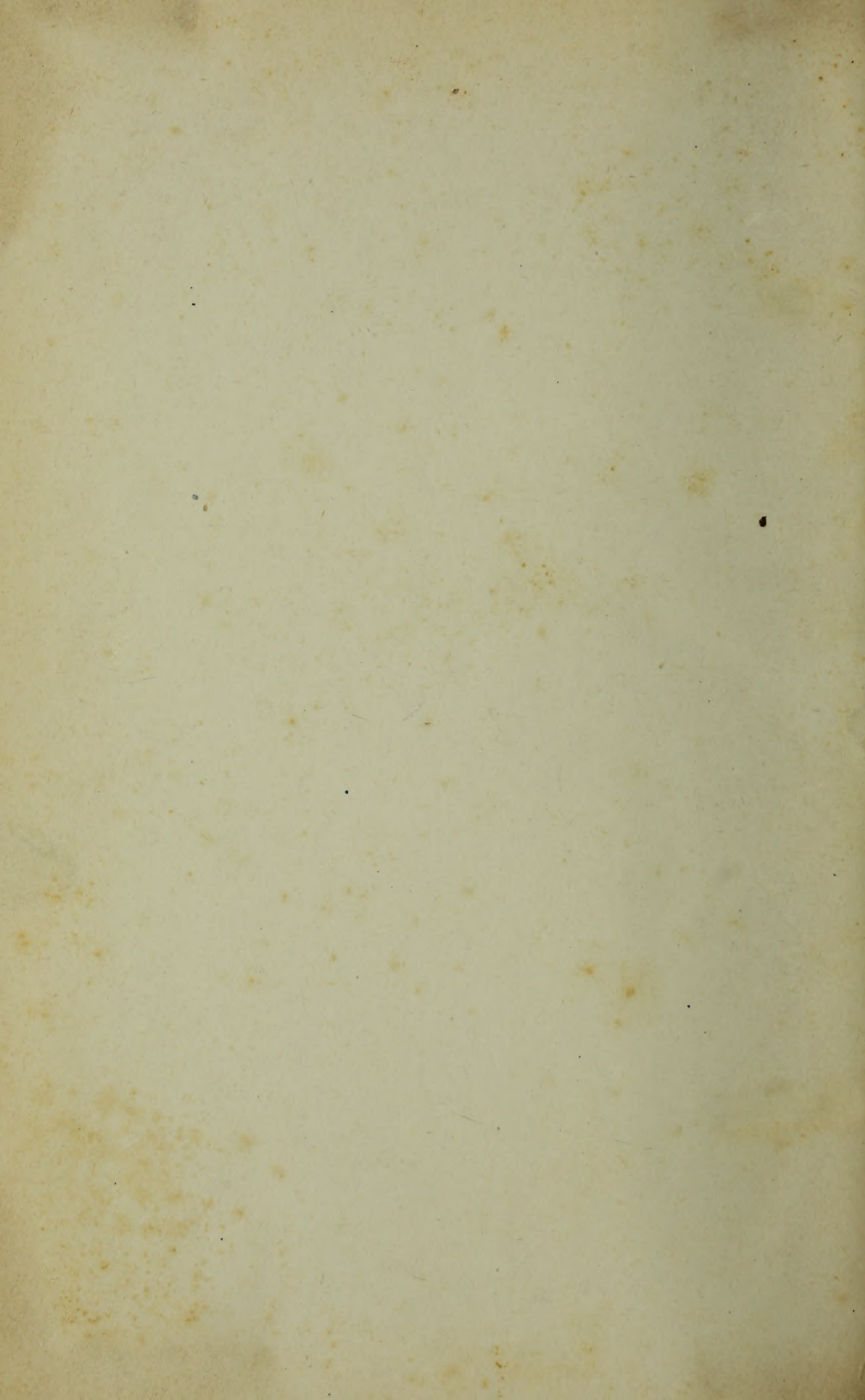
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